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HANSARD

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

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

THIRD PARTY

New Democratic Party

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

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Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, November 16, 2017 — 1:00 p.m.

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of a change which has been made to the Order Paper. Motion No. 203, standing in the name of the Member for Takhini-Kopper King, has been removed from the Order Paper as the action requested in the motion has been taken.

DAILY ROUTINE

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

TRIBUTES

In recognition of Sacred Heart Cathedral soup kitchen

Mr. Gallina: On behalf of the Yukon Liberal government, I rise today to pay tribute to the Sacred Heart soup kitchen and the hundreds of volunteers who have served our community through many years.

The soup kitchen was started in 1992 by Rose Byrnes, who saw a need to provide a weekend meal to those in need as the Salvation Army of the day was not able to provide meals on the weekend. Currently, the soup kitchen volunteer coordinator is Mr. Phil Gibson.

Mr. Speaker, we heard last week that the soup kitchen will be closing their doors after more than 25 years of operating in Whitehorse. This is an amazing accomplishment. The soup kitchen was run entirely by groups of volunteers from every part of our community and served a hot meal every Saturday and Sunday at the church hall. Some groups were from schools, some from churches, and some from local clubs or organizations, all with the sole goal of helping our fellow citizens. I know there are those here today who have volunteered over the years and our own Minister of Justice and Education and her family will be looking for new volunteer opportunities after more than five years of cooking for the soup kitchen.

This program and its volunteers filled a true need here in Whitehorse by serving nutritious meals every weekend to our most vulnerable citizens.

By rough count, over 125,000 nutritious meals have been planned, cooked and served by the soup kitchen to many Yukoners and currently, volunteers are serving around 160 meals every weekend. This is a worthy accomplishment, and I encourage those who have been involved with the service to take a moment and reflect on this significant contribution to the community. Soup kitchen volunteers should feel proud of

how they have helped those less fortunate than themselves and made the lives of others a little more comforting.

The camaraderie of the Sacred Heart Cathedral soup kitchen will be missed by many, and I would like to thank who have generously donated their time, culinary skills, warmth and friendship to such a great program over the years. I know volunteers are planning to come together at least one more time for a potluck at the CYO hall on November 24.

There is good news in that those in need of a nutritious meal on weekends to come will be well-served by the Salvation Army Centre of Hope, which will thankfully be providing the weekend meal service going forward. I hope the many volunteers who helped at the Sacred Heart soup kitchen will consider sharing their skills at this new location to provide this much-needed service to our community here in Whitehorse. It is truly a volunteer experience where you receive more than you give.

I see a number of Yukoners here today who have come to hear this tribute, and I will take some time during the introductions to recognize them.

Applause

Ms. Hanson: I am honoured today to rise on behalf of the New Democratic Party and the Official Opposition to pay tribute to the volunteers of the weekend soup kitchen that closed its doors this past Sunday. I want to note that this tribute was actually prepared by Jan Stick, a former member of this Assembly and a long-time volunteer at the soup kitchen. It was through Jan that my colleagues and I became the fifth-Sunday-of-every-month volunteers.

Indeed, we are joined today by a number of volunteers in the gallery who have been part of a larger community that has, over the last 25 years, provided a hot, nutritious meal every Saturday and Sunday at the CYO Hall. As the Member for Porter Creek Centre said, what started as a small group of volunteers led by social worker Rose Byrnes, a parishioner from Sacred Heart Cathedral, soon spread out to include other churches, school social justice clubs, service clubs and a wide range of diverse community members. These groups and individuals saw a need and simply wanted to make sure that people had access to a warm meal, a warm welcome and a safe place to break bread on Saturdays and Sundays.

In the beginning, 14 or 15 guests would show up. In the last few years, it was not unusual to serve over 100 bowls of soup on any given Saturday or Sunday — families with children, seniors and elders, teenagers and even travellers — all were welcomed. Some volunteers showed up to cook, serve meals and clean up, while others volunteered to cook and provide soups or stews, or baked goods from their home kitchens. Hunters shared their harvests of moose or caribou. A service club provided takeaway bags of juice, a granola bar and a snack.

It is no exaggeration, Mr. Speaker, to say that hundreds upon hundreds of volunteers — our fellow community members of all ages — have participated in this important community effort over the last 25-plus years. This is a true

example of looking out for our neighbours, our brothers and our sisters.

I would again extend our heartfelt thanks to all those who made a contribution to this weekend's soup kitchen.

In recognition of Restorative Justice Week

Hon. Ms. McPhee: I rise today on behalf of the Yukon Liberal government and the Third Party to pay tribute to Restorative Justice Week, which will be held from November 19 to 26. This annual recognition celebration was started in 1996 by the Correctional Service of Canada and has since expanded globally.

Restorative Justice Week offers us the opportunity to reflect on alternative methods to address the detrimental effects of crime. This year's Restorative Justice Week is themed "Inspiring innovation". This theme reminds us that, by working together, we can approach conflict and crime as an opportunity for individuals and our community to grow by addressing the needs of people impacted by crime and conflict.

The Yukon has always been, and remains, a leader in restorative justice. Innovative approaches empower us to bring together the community, victims and offenders to find solutions. Restorative justice processes are based on the recognition that offenders not only harm their victims, but also themselves and our communities. It is an approach that focuses on repairing and healing the harm caused by crime. It is grounded in the values of respect, inclusion, healing, honesty, compassion and restoration. It promotes community accountability and responsibility and responds to the needs of victims, offenders, families and First Nation communities.

As a government, we are proud to be working on developing solutions that are based on a restorative philosophy. To mention just a few, the Yukon has led the way in circle-sentence practices, the peacemakers program in Carcross/Tagish First Nation, community justice projects of various kinds in eight communities, and the Yukon will play an integral role in the Canadian deputy ministers task force to address overrepresentation of indigenous peoples through restorative justice practices and initiatives.

I sincerely thank all the Yukoners who are involved in restorative and community justice for their past, present and continued hard work and dedication in seeking positive outcomes and making our communities better and safer.

Mr. Speaker, I thank the members of community justice committees, community justice coordinators, government and First Nation officials, families, elders, youth and all other individuals who support and innovate every day in restorative justice.

Mr. Cathers: I'm pleased to rise today on behalf of the Official Opposition in paying tribute to Restorative Justice Week. I would just like to take a moment to acknowledge the work of the many Yukoners in the gallery and across the territory who have played a part in a number of the innovative steps that have been taken by the Yukon in responding to crime through innovative approaches, such as restorative

justice and circle sentencing. The Community Wellness Court is also one that should be acknowledged as an area where the Yukon is truly leading the country and attracting international attention for the success of that initiative of reducing the rate of reoffending and getting offenders to accept responsibility for their actions.

I would just like to thank all the staff in the Department of Justice and other involved departments, as well as First Nation governments, for their work, and acknowledge the work that each of them does each and every day in this important area, and congratulate them for their success.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Mr. Gallina: I just wanted to take a moment and recognize some of the visitors who we have in the gallery here today who have come out to hear the tribute on the Sacred Heart soup kitchen. From the Catholic Church, Bishop Vila, Father Szwagrzyk, Mary Anne Harach, with Rosebuds Michelle Massie, Jay Massie, Annette King, Tracey Bilsky, Marie Cairns, Grainne Workman, and Lareina Twardochleb.

I wanted to recognize Katie Shewfelt, a constituent — hi, Katie. Michael Dougherty, Myke McPhee, Michele Shaw and Jan Stick are also with us here today. I wanted to recognize her. Thank you and welcome.

Applause

Speaker: Are there any further introductions of visitors?

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to engage with the health care community regarding a comprehensive review of the health care sector.

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

THAT this House urges the Government of Yukon to use the protection area provisions provided in the *Territorial Lands (Yukon) Act* to protect and manage sensitive areas identified over the last five years from off-road vehicle use before the spring of 2018.

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: Student support services**

Mr. Hassard: Mr. Speaker, a week ago, we asked several questions of the Minister of Education regarding Student Support Services and the minister was not able to provide an answer at that time. The minister did commit to look into them and get back to this House so I'm hoping maybe she can provide an answer today.

Specifically, we asked the minister how long it takes for a student to receive an assessment after they are referred. Mr. Speaker, I'm hoping that the minister can tell us: What is the service standard for the department to respond to a referral? Does she feel that the department is meeting this service standard?

Hon. Ms. McPhee: I was asked this question last week. I have been working diligently on the answer with the department. I have a draft legislative return which at this point I am not satisfied gives enough information so I'm asking for more. I do have a copy of the Student Support Services parent handbook which I intend to table next week but I'm happy to give the copy I have and the other copies I can get this afternoon if that's of interest to the Leader of the Official Opposition and to the Member for Porter Creek North — because they were originally her questions.

I have not forgotten the questions asked at all. I completely support the programs at Student Support Services because they are truly about responding to the needs of individual students through a team approach, both at the school and at the department. I am pleased to say that the information I have gathered so far and that I will be presenting in response to the question — tabling a return — do in fact indicate that they have very high standards.

I will answer the specific question with the specific information when I have it, but I assure you that I am working on that and will respond as soon as I can.

Mr. Hassard: We obviously look forward to that information.

Student Support Services provides essential services that are important to families and to our children, and we have heard of instances of families waiting a long time for their child to receive these supports. Last week when we asked, the minister didn't have the information, so I'm wondering if today the minister could tell us what the current backlog is for referrals waiting for follow-up from Student Support Services.

Hon. Ms. McPhee: Mr. Speaker, no, I can't, because it forms part of the question that was asked last week of my department and of me. I have been provided with some numbers, but I'm trying to get a breakdown so that the specific question of whether or not there's a backlog and what that might be and why that might be the case can be properly answered.

Mr. Hassard: In the spring, the minister said that the Student Support Services division was to be reviewed in the fall to ensure that they were adequately resourced. Last week, the minister said this review is still ongoing. I appreciate her letting us know that, but would she be able to provide us with

a timeline for when this review will be completed? Will the results of that review be made public?

Hon. Ms. McPhee: I appreciate the question from the Leader of the Official Opposition. I will reach out after this session to determine exactly the question, because I'm not completely clear on how to answer.

With respect to any review or assessment of how Student Support Services is working, whether it is meeting the needs of students the way we expect, and of families the way we expect, is an ongoing process, Mr. Speaker. It's something that we will — let me say it this way: no aspect of any department, particularly Education, is stagnant. It must respond to the needs of families and students; it must be able to be nimble enough to change its ways, if necessary. I'm not saying that is the case in Student Support Services. What I'm saying is that I'm asking a lot of questions in the department about whether or not we're delivering the services that students and families deserve here in the territory, and those answers will not be coming in five minutes or in 10 minutes.

I will speak to the Leader of the Official Opposition so that I can provide information and answer the question that he's asking.

Question re: Immunizations for out-of-territory students

Ms. McLeod: Preventive measures against the flu are an important part of our health system. To encourage Yukoners to get the flu shot, the government covers the cost. Unfortunately, there's one group of Yukoners that falls through the cracks and they are unable to get their flu shot covered.

I have a constituent whose daughter is attending school in British Columbia. British Columbia will not cover the flu shot for her because they say it's a Yukon responsibility. Yukon told her that she has to fly back home if she wants to get her flu shot covered. The sad thing is that, instead of supporting someone who wants to get the flu shot, it looks like government is just looking for something else to do.

Mr. Speaker, will the minister commit to having flu shots covered for Yukon students attending school outside of the territory?

Hon. Ms. Frost: Clearly, we care about our students. We care about the health and well-being of our citizens. I have stated before that we will ensure we provide the best services possible in the Yukon. Unfortunately, at this point in time, I can't respond specifically to the question or the request because it's a one-off request.

If the member opposite would provide that in writing, we can certainly respond formally and have the department review and manage that one particular case. That would be really helpful and then we'll have an opportunity — the Leader of the Official Opposition is motioning that perhaps we should get it in writing. We can then manage this case and provide that back in a formal response.

Maybe we can help the student. I hope we can, but there are many students across Canada — not just in British Columbia — so we will look at it.

Ms. McLeod: I wrote to the Minister of Health and Social Services on October 20 raising this issue, and I have yet to receive a reply. I think this is an urgent and important issue. In principle, I believe the system should be encouraging Yukoners to get immunized against the flu. Reducing the incidence of flu in the territory will actually reduce stress and financial pressures on our health system as a whole.

Yukoners in the territory have this essential service covered. Asking students to fly home or wait until they are back for Christmas unfortunately misses the point. Every day into the flu season that you wait until you get your flu shot, the greater chance you have of becoming sick. Maybe the situation affecting my constituent is an isolated incident, but I have not heard back from the minister for over a month on this topic.

Hon. Ms. Frost: I will go back in my files and have the department respond to the October 20 letter. I am not sure that I have seen it. There are many e-mails that come in every day and they are case-managed appropriately and if there is an imminent need and requirement, then the department prioritizes and responds, so I will ensure that a formal response is sent back to the member opposite.

Question re: Dawson City mining roads

Ms. Hanson: Nearly 25 years after the *Umbrella Final Agreement* was signed, Yukon has only a single completed land use plan. The Klondike land use plan is on hold until the Peel court case is settled; yet this government, through its Energy, Mines and Resources department, recently submitted an application to YESAB for a rather vague plan to use placer mining tailings for road construction. The plan covers a large swath of the goldfields and spans a period of 50 years.

Mr. Speaker, why is the government making plans to effectively allow re-mining of placer tailings for gravel for the next 50 years before land use plans are completed for the *Tr'ondëk Hwëch'in Final Agreement*?

Hon. Mr. Mostyn: My understanding is that the gravel project in question is tied to the Gateway project and we are going to be quarrying gravel for that project going forward.

At the moment, we have had discussions with the *Tr'ondëk Hwëch'in* on this quarry issue. There is really no work anticipated until we actually get agreements in place with the First Nations to proceed with the Gateway project. There are a lot of steps to go before we actually start work on that large capital project — a lot of work with First Nations. That work is ongoing, but we do not have signed agreements in place yet. So, in terms of this gravel quarry project, there is a lot of work to do before we actually get to quarrying the tailings.

Ms. Hanson: Faint comfort there, because what it does do is reinforce that this government's ad hoc approach to land use issues is contrary to the goals of the land use planning process — goals agreed to by First Nations and the Yukon government.

The same ad hoc approach seems to have been taken when it comes to wetlands. Last year, the government rejected a recommendation from YESAB and the Yukon Water Board

to avoid placer mining in the Indian River wetlands until a wetlands policy was in place. An agreement has been reached with *Tr'ondëk Hwëch'in* to address the specific proposal at hand, but Yukon remains one of the only jurisdictions in Canada without any wetlands policy, despite repeated efforts by Yukon's public service to advise Yukon ministers of the need for one.

When will this government take immediate action to mitigate land use conflicts by developing a territory-wide wetlands policy?

Hon. Mr. Pillai: I would like to thank the Leader of the Third Party for the first and second questions. Certainly, when it comes to the activities of Highways and Public Works — my colleague spoke to the use of the resource and the aggregate, but in this particular case, I do not believe that the use of that aggregate is really going to take off track the land use planning process in the *Tr'ondëk Hwëch'in* area.

Of course, our government is currently waiting to see the results of the case right now concerning the Peel. We have made a commitment to the *Tr'ondëk Hwëch'in* First Nation that we would undertake the land planning process upon completion of the Peel process, and we are certainly committed to that and any other early works we can do, whether it is data collection and others that we have committed to them to work on — just to answer that first question.

The second piece concerning wetlands — yes, wetlands have been a challenge, absolutely — certainly working with my colleague to come up an appropriate strategy moving forward. We inherited a policy on which the First Nation had not been consulted, but it was sort of being moved forward. That led to some challenges. What we have done is we have committed — we have had a series of working groups and are also bringing in the Klondike Placer Miners' Association and working with First Nations and the Department of Environment —

Speaker: Order, please.

The member's time has elapsed.

Ms. Hanson: The question had to do with a territory-wide approach to wetlands policy. It seems that this government appears satisfied to continue with the Yukon Party's legacy of relying on outdated federal legislation rather than working with First Nation governments and all stakeholders to fulfill commitments like land use planning or putting in place modern resource management laws. For example, last week, a judge told the Yukon government that the maximum fine it can issue for land use violations is 10 times lower than what it has used in its own practice — \$500 instead of \$5,000 that it tried to charge.

A specific matter at hand was a 17-kilometre trail built without any authorization or consultation. In a case like this, \$5,000 is just the cost of doing business, and \$500 is a joke. What steps has this government taken to rectify the situation and ensure that land use fines actually deter people from ignoring the law?

Hon. Mr. Pillai: With respect to the line of questioning, I think that the Leader of the Third Party has

touched on multiple topics that are very important and that should be discussed, but there are really three separate lines of questioning.

I think land planning is something that we should discuss and we should discuss that specifically. I am willing and open to do that.

Secondly, wetlands is a big enough issue that also we could go and —

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: Maybe just if you could give me a second and not interrupt.

I would say that the third question had to do with the road build. What we're doing in that case is we are reviewing the decision — at that point, working with my colleague from Justice. Certainly there were some surprises there as we saw some of the decisions — as we looked at the fine rates and the traditional process that was in place or what we had seen previously on the \$5,000 fine versus the \$500 fine. We're still reviewing how the interpretation was taken into place on the forestry act — certainly the newest act that has been produced by this government and how that was applied — so reviewing those things. There is certainly some concern about the outcome, but I look forward to sharing more in the Legislative Assembly on that topic as the questions come up and as we see more information.

Question re: Minimum wage

Ms. White: For the last year, this government has repeated that Yukon is in a tough financial situation because its revenues have not kept pace with expenses for years. Well, some Yukoners can relate.

Minimum wage workers have been struggling to make ends meet for years. At \$11.32 per hour, with an average rent of over \$1,100 in Whitehorse, many minimum wage workers spend over half their salary just to keep a roof over their heads. Yukon's minimum wage is trailing behind the Northwest Territories, Nunavut, Alberta, Ontario, Quebec, and now BC's minimum wage.

Will the minister commit to initiating a review of Yukon's minimum wage before the next Sitting of this Legislative Assembly?

Hon. Mr. Streicker: I thank the member opposite for her question on minimum wage. Here in the Yukon, our minimum wage has a clause tied to it. There is an inflationary component to it and, each April, we increase the minimum wage if inflation goes up. I think there is only one other jurisdiction in Canada that has that, so that's a great thing.

The second point is that, based on questions that arose here in the Legislature in the previous session, I committed to doing some work with the Bureau of Statistics regarding the minimum wage and how it compares across the north. I did provide a legislative return, I believe, and I certainly sent the information across to the members opposite.

What we found was that the Yukon's minimum wage, when you look at the cost of living — a market-basket measure — here compared to the NWT — we're basically on par and we believe we're ahead of Nunavut. While I

appreciate that minimum wage is important and it is important for citizens that they have the ability to pay for rent, I don't believe that our minimum wage presents poorly against the other territories.

Ms. White: The minister has just responded essentially that, while our minimum wage is a poverty wage, so is that of the Northwest Territories, so we're not going to do anything about it right now. We're currently in seventh place and an automatic review won't happen until we slip further down into eighth place.

Yukon's living wage for a family of four with both parents working is \$18.26 an hour, and no matter how you cut it, \$11.32 an hour is a poverty wage. It's just not possible to make ends meet. Alberta and Ontario will have a \$15 minimum wage within a year. Mr. Speaker, why doesn't the minister compare Yukon's cost of living to these provinces? For a government that claims it wants to address poverty, you would think that at the very least they would ensure that people working full-time don't fall below the poverty line.

I have a basic question for the minister: Does he agree that someone working full-time earning \$11.32 an hour in Yukon is likely to live in poverty?

Hon. Mr. Streicker: I will do my best to answer the question, but I really want to differentiate between a living wage and a minimum wage. A minimum wage is an entry-level wage. It doesn't mean that's going to be enough money. If you're a single parent working at the minimum wage, I agree that's not enough to get by. But that doesn't mean it is the wage that everybody earns.

There are questions we should look at to address the ability for people to live here in the territory. I appreciate the second report that just came out last month — or the month before — by the Yukon Anti-Poverty Coalition. I read through the recommendations and the things they proposed. While I know they would support an increase to minimum wage, what I saw as their number one issue was affordable housing. That is one of the things we're working on here. I respect that this is a great suggestion.

I'll answer more on minimum wage in the supplementary.

Ms. White: Poverty is poverty is poverty is poverty. The Yukon Anti-Poverty Coalition is also suggesting a minimum wage to earn in a year.

Yukon's minimum wage is a poverty wage and it's just not possible to make ends meet. Either the minister knows it and chooses not to act, or the minister is completely disconnected from the reality of Yukon's working poor. I'm not sure which is worse.

Minimum-wage workers work hard day in and day out, often combining two or even three jobs just to keep up. They're living paycheque to paycheque and many of them have to use the food bank to feed their families. If the car breaks down or if they get sick they can't turn to their savings, because there is no such thing as savings when you earn \$11.32 an hour.

How can the minister accept this situation? Why is the minister refusing to review the Yukon's minimum wage when

literally every neighbouring province or territory has a higher minimum wage than ours?

Hon. Mr. Streicker: I did agree to go and do the work to try to compare against other jurisdictions. If the member opposite feels that work wasn't adequate, I'll reach out and try to see specifically what she would like in terms of a comparator to other provinces. I'm happy to try to get that work done — that's fine — but I stood up in my first response to the first question posed and pointed out that our minimum wage is not literally lower than the one in our neighbouring territory for the Northwest Territories. It is above or better when we look at the cost of living, which is the whole point she is raising about people living in poverty.

Let me stress again that all workers work hard. We want to address poverty. We believe that it is a serious concern. I am happy that we have a minimum wage that is tied to increases for cost of living. There are mechanisms whereby if we drop into the half, or lower, of minimum wage across Canada, we will initiate a formal review. In the meantime, I will continue to do these informal reviews to try to see what we can do to address it and continue to follow up with groups with the Yukon Anti-Poverty Coalition regarding their suggestions around how we deal with the issue of poverty in our territory.

Question re: Capital project expenditures

Mr. Cathers: I have some questions for the Minister of Justice about the status and cost of capital projects that she is responsible for. Construction of the new Faro RCMP detachment was put on hold after the federal government refused to cover a \$120,000 increase to the project cost and told the Yukon government they would pull all funding for the project if we awarded the contract. This set the project back, but construction was still a priority for the previous government and we were working with the federal government to see the new detachment built. The Liberal government has been in power for over a year, but we have seen very little action by the Minister of Justice on this file.

Can the minister please update this House? What is the status of the new Faro RCMP detachment project and when will we see it built?

Hon. Ms. McPhee: I don't actually accept the premise that the question is based on or the details submitted by the member opposite, but I am happy to answer that we are exploring options and that conversations about changing have been made with respect to the territorial policing agreement, with respect to the requirement for capital builds that are in that agreement, which was signed in 2012, and we are working extensively with not only the local RCMP, but through them with the federal organization to make sure that we can meet the obligations that are in that policing agreement.

Mr. Cathers: Unfortunately, the minister didn't answer the question.

The next question about the capital projects that I'm going to ask about is related to the renovations caused by the government's decision to add a third Supreme Court Judge. In

the spring, when I asked the minister about it, she was dismissive and told me that the cost was insignificant. When we informed her that the department had previously told us it would cost taxpayers \$500,000 a year to add a third judge, she dismissed it and claimed we were wrong. According to the tender management system, the current cost estimates for this capital project of adding a third judge are around \$250,000. This is on top of the \$350,000, roughly, for the judge's salary, staffing costs the minister has refused to disclose, and undisclosed costs for furniture and equipment.

Can the minister please tell us what the total cost to taxpayers will be of adding the Supreme Court Judge, including salary costs and the capital costs, as well as when this capital project will take place?

Hon. Ms. McPhee: Again, I don't accept all of the facts that were the preamble to that question. As a result, I will try to answer some of it.

There has been no work undertaken with respect to any capital changes that might need to be made, at this point, should a third Supreme Court Judge be appointed. To be clear, Mr. Speaker, that is not a decision of this government. It is a decision of the federal government as to whether or not they will support and appoint a third Supreme Court Judge here in the Yukon Territory and, as a result, the federal government pays the salary for that Supreme Court Judge — in fact for all of our Supreme Court Judges.

In the event that happens, there will be the necessity for, of course, some furniture and for some space — quite likely, where the other Supreme Court Judges are on the court side of the law centre — but at this point, no expenditures have been made other than some discussions and potential planning.

Mr. Cathers: I have some bad news for the minister: Her refusal to accept the facts doesn't change the fact that the facts are the facts.

The minister did not answer the question and she misstated herself in suggesting that the decision to add a third judge was only from the federal government. It required this government to agree to change legislation, which the minister herself tabled.

We'll try again with another simple question about capital costs: Can the minister explain why adding a third judge — one of the most expensive options open to government — was more important to them than meeting our health care needs by adequately funding the Yukon Hospital Corporation and, instead, flat-lining for the hospital this fiscal year when it's coping with unprecedented bed pressure caused by a shortage of continuing care beds?

Hon. Ms. McPhee: I'm not exactly sure if that is a related question to anything that has been said already. I will, I suppose, attempt to provide an answer, which will likely not be satisfactory.

I didn't misstate myself. Clearly the amendments that I brought to this House to the *Supreme Court Act* for the purposes of potentially permitting a third Supreme Court Judge in the future are self-evident and they are on the record. As a result of that, the decision now is, if there is going to be a third Supreme Court Judge, that will be the decision of the

federal government. It's not being lobbied here; it is facilitated, of course, by our government because, in all of the context that's available to us, it was the appropriate thing to do to provide for the future. The member opposite is fully aware that this is the case.

With respect to the health implications of the question, I'm not the appropriate person to answer those questions, nor should I. I will, however, focus on the fact that no expenditures have yet been made with respect to the potential for a third Supreme Court Judge here in the territory. If and when that decision is made, we will respond.

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. 8: Act to Amend the Workers' Compensation Act and the Occupational Health and Safety Act (2017) — Third Reading

Clerk: Third reading, Bill No. 8, standing in the name of the Hon. Ms. Dendys.

Hon. Ms. Dendys: I move that Bill No. 8, entitled *Act to Amend the Workers' Compensation Act and the Occupational Health and Safety Act (2017)*, be now read a third time and do pass.

Speaker: It has been moved by the Minister responsible for the Workers' Compensation Health and Safety Board that Bill No. 8, entitled *Act to Amend the Workers' Compensation Act and the Occupational Health and Safety Act (2017)*, be now read a third time and do pass.

Hon. Ms. Dendys: People; that is what we are talking about today, Mr. Speaker. In fact, we are celebrating the people of the Yukon. While it is true that Bill No. 8 is about more specific matters, it comes down to one thing: people.

This government is committed to putting people first. Workers, employers, firefighters, paramedics, police officers, Yukoners — no matter what the label is, these are people. They are people of this land, people in our community, people who live and work among us. Our Yukon society is a beautiful button blanket, where the buttons are people from all cultures, all religions, all races, all genders, sewn together with the threads of peace, compassion, harmony and equality.

Each button is every bit as important as another. Each one must be cared for, nurtured, protected and supported. Each one is an essential part of the rich pattern that forms our Yukon. That's why people are what this government puts first.

That's precisely what Bill No. 8 does; it puts people first. Debate around this bill was lively, respectful and passionate. There is no doubt that every member who spoke to it felt deeply about it. I would like to summarize what we heard.

Members of the Official Opposition believe that the scope of PTSD presumption coverage should be broadened to cover more types of workers and so did the Third Party. Members of

the Third Party also wished the scope of the PTSD presumption to be expanded to cover all Yukon workers.

This government listened to the wisdom and the insight shared by the members opposite. We considered everything we heard very carefully. In the end, however, we believe in our original commitment to Yukoners. We believe that limiting the PTSD presumption to emergency response workers defined as "firefighters, paramedics and police officers" is the most responsible course of action. It is what Yukoners expected of us as stewards of the workers' compensation system in the Yukon.

This bill speaks to one of the most fundamental rights of people who live and work in Yukon — their well-being. It focuses on enabling these people — my fellow Yukoners — to live happy, healthy lives. It signals that the well-being of these people goes beyond their physical health and safety. It is about the whole person. It is about being emotionally, mentally and spiritually healthy and safe.

The PTSD presumption is a clear public acknowledgement of the important role emergency response workers play in our community. It sends a message to them that we understand the unique and personally taxing demands of their jobs and the serious impact that their work can have on their mental health. It recognizes that they are the people who race into the situations that most of us flee from. They are the brave few among us who willingly expose themselves to trauma almost every day. In fact, experiencing trauma is in their job description. Any time they are on the job, they may be required to face horrors most of us can easily avoid. In other words, they are the people most at risk of developing PTSD. This presumption supports and honours the invaluable role emergency response workers play in our society.

Bill No. 8 is about more than PTSD presumption, however; it is the careful weighing of the interest of the both the workers and employers. It upholds the spirit of the historic national compromise that unites these two groups in a system of injury prevention and workplace health. Any time we deal with workers' compensation systems, we must be sensitive to that balance. We cannot risk upsetting the time-honoured equilibrium of the system by favouring one too heavily over the other. Yes, I am referring to cost. With all due respect, I know the Leader of the Third Party would prefer to avoid measuring the financial impact of PTSD in the context of Bill No. 8, but the harsh reality is that we cannot discuss a PTSD presumption without addressing the question of costs and who will pay them.

The fact is that PTSD presumption is a new concept in Canada. No one is yet fully aware of what its long-term financial impact might be on the workers' compensation claims system. That is one reason why this government committed to limiting the presumptive coverage to occupational groups that fall within the government rate group.

PTSD is, at its very essence, a human concern. Bill No. 8 ensures support for these workers most likely to suffer from it. However, it would not be responsible for us to expose other employers to financial unknowns of PTSD presumption. As

the Premier said, this is a first step. It's a first step that we can all feel good about. We're not ruling out expansion. We're simply saying that now, before we have a fulsome understanding of both the human and financial costs of PTSD presumption, is not the time.

All of that said, Bill No. 8 must be considered in the light of one simple fact that has been true for some time and will continue to be true ever after this passage: You are covered. All workers covered by the Yukon Workers' Compensation Health and Safety Board are eligible for benefits, including treatment if they suffer a professionally diagnosed psychological injury, such as PTSD, at work. Bill No. 8 does not take coverage away from anyone.

It improves on access to treatment and benefits for those among us likely to suffer PTSD. What's more, PTSD presumption is a giant leap forward in terms of destigmatizing psychological injury, both in the workplace and at home. It's a message we're broadcasting loud and clear to all workers: If you suffer PTSD, it's okay to come forward and seek help. In fact, we want you to do that.

Through the passionate debate around Bill No. 8, I have come to recognize something — it's not only this government that puts people first. The truth is the entire House puts people first. I know this for certain because there is one thing about our debate that particularly resonated with me — there is one aspect of it that I think really proves how valuable we all believe Bill No. 8 to be. Very little debate occurred around the second half of it. This is the part that will see us establish new regulations aimed at preventing workplace psychological injury.

It's clear we all support this. We all see the value in it. Agreement among the members warms my heart for sure and I think members on this side of the House. It makes my spirit soar to know that my colleagues here in the House feel as strongly as I do about protecting the mental health and safety of Yukoners in their workplaces. That's why as soon as the amendments to the *Occupational Health and Safety Act* become law this government will ask the Yukon Workers' Compensation Health and Safety Board to consult with Yukoners on the development of these regulations.

We cannot lose any more time risking the mental health of all Yukoners and all people in all workplaces. We need those regulations in place now to ensure that there is holistic support for people in Yukon workplaces and protection for their physical, emotional, spiritual and mental health. PTSD, harassment, bullying, abuse — these things have no place in Yukon. They are not the threads we want to use when we sew our new buttons on to our blanket.

The Premier and I have both said that this is just a start and every good story that begins deserves a middle and an end. You might wonder what comes next. During Committee of the Whole debate, I committed to a full review of the *Workers' Compensation Act* and the *Occupational Health and Safety Act* within my current mandate. I reiterate that commitment now to this House and to all Yukoners. I'm working to have both of these acts formally placed on the legislative agenda. This will lead to a period of public

engagement. The engagement will inform our approach to the potential modernization of the *Workers' Compensation Act* and the *Occupational Health and Safety Act*.

I know how fortunate I am to be the minister responsible for the system that upholds workers' health and safety at the dawn of this new century. In fact, I'm a little humbled by it — but I am also very encouraged. I see a rare opportunity before me, so in the spirit of putting people first with an eye on enriching the pattern of our button blanket, I'm ready to ask my colleagues here in the House, the professionals at the Yukon Workers' Compensation Health and Safety Board, Yukon employers and Yukon workers to help me seize this opportunity and undertake this important legislative review.

On that note of support, Mr. Speaker, it would be remiss of me if I did not recognize the support I received for Bill No. 8. First, I want to extend my gratitude to my colleagues on both sides of this House for their insight, wisdom and compassion. Second, my sincere thanks to the legislative drafters and the Department of Justice who drafted this bill. Really though, I can't say enough about the tireless efforts that the Yukon Workers' Compensation Health and Safety Board of Directors and, for sure, all of their staff members gave to me during this process. I wish to express my most sincere thanks to everyone for their dedication, support and assistance. I'm proud and fortunate to have been involved in a process that had such strong support from so many different agencies and parts of government.

It has been a learning and growing experience for me, as this is my first bill that I've led through this Legislative Assembly. I am confident that the result is a set of legislative amendments that this government can be proud of. These changes to the *Workers' Compensation Act* and the *Occupational Health and Safety Act* will benefit both the workers and employers and employer communities in the Yukon. They will have a positive impact on the mental health of all Yukoners. Our accomplishment is a good example of how this government puts people first, Mr. Speaker. People first — that will continue to be the spirit of this government's efforts. I thank you, Mr. Speaker.

I would like to acknowledge some members, if that's okay to do so. I hope I get everyone; I know lots of you came in at the last minute. I would like to acknowledge: Jim Regimbal, the Dawson City fire chief and president of the Association of Yukon Fire Chiefs; Tyrone Larkin, Association of Yukon Fire Chiefs; Devin Bailey with EMS; Chris Cleland, captain of the Dawson fire department; Morley MacKay, a platoon chief for the Whitehorse Fire Department; Gina Nagano; Bob Atkinson, Association of Yukon Fire Chiefs; Jorgen Ponsioen, captain of the Whitehorse Fire Department; Jason Kelly, Whitehorse Fire Department; Alex Vautour, Whitehorse Fire Department; Donovan Misener, for the Whitehorse Fire Department; and Dale Van Damme, Whitehorse Fire Department dispatcher.

Thank you so much for coming here today — and my staff members, Kirk Dieckmann and Andrew Robulack — thank you so much for being here today.

Applause

Ms. McLeod: I'm quite pleased to stand at third reading to discuss Bill No. 8. The Official Opposition will be supporting this bill.

Part 1 of this bill largely is going to apply to governments. Having said that, I hope that when the drafting of the standards and requirements, which will apply to all business — it's fair to say that we have some lingering concerns about how that's going to apply to business and who is going to have to pay for whatever it is that comes as a result of those standards and requirements.

It's my hope that, when it comes time to engage business into a discussion on what these standards encompass, there will be a robust engagement with business. I hope that it's not using a SurveyMonkey. I think that has been proven to not reach as many people as we would like. On something as important as this, I think all business needs to have a voice.

With that, I look forward to the passage of this bill.

Speaker: Introduction of visitors outside of the time provided for in the Order Paper.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Just one other person I thought I would like to acknowledge — someone from the Community Services staff — Cameron Sinclair, who is the head of Whitehorse operations for EMS — if we could welcome him as well.

Applause

Ms. Hanson: From the outset, it has been clear that the New Democratic Party has supported presumptive legislation for first responders. It is with a mixture of joy and disappointment that we support this legislation.

Three or more years ago — more years ago than that — I had visits in my office with Michael Swainson, and later in Dawson with Mr. Regimbal. We became absolutely convinced of the imperative, notwithstanding, as the minister has pointed out, the provisions in the *Workers' Compensation Act* that talks about policies that may address psychological injuries such as PTSD, but the incredible impediments that were placed in front of people, and then working with people in other fields — in corrections and others — who have had to run the gamut. I am overjoyed that this is happening and that we finally recognize this distinct group of workers who do so much for our territory.

We tried to find a compromise to work with this government, which talks about hearing. Maybe they hear, but they are not listening — they are not listening with their heart.

When we suggested, Mr. Speaker, that we find a flexible way that would allow us — without having to do a comprehensive legislation review — to perhaps follow the lead of the Nova Scotia Liberal government, where they too had come up with the first responders' approach and then, after their public consultation, where they too heard from the public and from other workers' groups that there were other groups that might be considered. So they expanded it — not to

all workers — and we said that we understand that not all workers — that may be going too far at this stage — but we said: "Make some flexibility here. Make it so that you can change the designation or change the recognition of what professions, what workplaces, might be covered under the presumption clause for PTSD." We suggested that it be done by regulation.

I guess I had hoped that the government, when it talks about being willing to work across the floor, would be willing to actually make those kinds of changes. That is my disappointment — that the use of the language is there, but the actual carrying it through is kind of difficult.

As the minister alluded to, we were and we remain very, very concerned if issues or decisions around how we approach matters like PTSD are driven by some unknown, unquantified actuarial calculation, because that is an absolute breach of the covenant that is contained in the 100-year-old workers' compensation legislation. That is not the agreement we made with our fellow citizens — with workers in our territory.

We are very, very happy to support coverage for first responders, and I know that they would join me in what I had said in closing when we were talking the other day — that, at the core, is the sentiment that what we desire for ourselves, we wish for all, and nobody who has ever had to experience a psychological injury or has had to work with somebody who has, would ever wish for less.

So Mr. Speaker, we look forward to the passage of this legislation.

Mr. Cathers: I have spoken to this several times, so I am not going to spend a lot of time this afternoon repeating previous remarks.

I just want to thank everyone who joined us here today, who is affected by the legislation, or potentially could be, for not only their attendance here today, but for their efforts in supporting this legislation providing presumptive coverage to those with PTSD. I would like to note, as well, that while I believe — as I have indicated on several occasions in the House — the scope of this legislation should be broadened to extend this to other front-line responders, this is a good step, and I do welcome this action by the government in changing this legislation.

I would also like to specifically thank Yukoners who have contacted me and shared their very personal stories about the effects of post-traumatic stress disorder in their lives. That includes people who will be covered as a result of this legislation and others who will still not be covered once this legislation is changed.

I do, again, just want to sincerely encourage the government to take an additional step to broaden the scope of this legislation, and I do again want to reiterate the importance of taking additional steps to improve the supports that are there for our emergency responders and other front-line staff and volunteers. I think it is very important to recognize that we should be doing more to prevent post-traumatic stress disorder from actually happening and that in some areas, including — notably — paramedics. I know this is an area

where, for many of them, the cumulative stress, rather than a single incident, can be the ultimate source of post-traumatic stress disorder. So doing more in terms of critical incident stress management — as well as other matters that have come forward to me from Yukoners who have contacted me, including people who have said that, in addition to the more clinical counselling elements, it is important to take some steps such as providing more peer supports. Doing things like group activities where people can — outside of a strictly work environment — do things as simple as — in one case, one person suggested that simply arranging activities like a group walk and doing things together would help create a closer bond between the front-line responders working together and would help them support each other as they are dealing with difficulties.

Again, I just want to note as well that, while I understand the challenges within the scheduling area, when it comes to Yukon EMS, in particular, I do want to note one of the things that I have heard from several sources that is an additional source of stress in their life is the current practice around scheduling auxiliary on-call employees. I would just sincerely encourage those staff listening to recognize that providing more predictability, stability and appropriate downtime between shifts can help reduce this area of additional stress that can fall on to some of our front-line first responders.

I just want to conclude my remarks by thanking the government again for taking this step and urge everyone to recognize that there is still more to be done and that ultimately we should be doing what we can within the system to prevent people from ever getting to the stage where they have PTSD and need to rely on this legislation.

Speaker: Is there any further debate on third reading of Bill No. 8?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 16 yea, nil nay.

Speaker: The yeas have it. I declare the motion carried.
Motion for third reading of Bill No. 8 agreed to

Speaker: I declare that Bill No. 8 has passed this House.

GOVERNMENT MOTIONS

Motion No. 200

Clerk: Motion No. 200, standing in the name of the Hon. Mr. Silver.

Speaker: It is moved by the Hon. Premier:

THAT from 3:30 p.m. to 5:30 p.m. on Tuesday, November 21, 2017, Norman McIntyre — one moment please.

Speaker's statement

Speaker: Minister of Health and Social Services — if you could resume your seat please.

Just a reminder to the House that, when the Chair is speaking, all members are to be in their seats and paying attention.

I will start again.

It is moved by the Hon. Premier:

THAT from 3:30 p.m. to 5:30 p.m. on Tuesday, November 21, 2017, Norman McIntyre, the Chair of the Yukon Financial Advisory Panel, and Ron Kneebone and Grace Southwick, members of the Yukon Financial Advisory Panel, appear as witnesses before Committee of the Whole to discuss matters relating to the Yukon Financial Advisory Panel final report.

Hon. Mr. Silver: I am not going to speak at length at all. Having the members of the Financial Advisory Panel as witnesses in this House provides the opportunity to ask questions of the panel for members of all sides. We are welcoming the opportunity, and the report that the panel has provided is substantial — 136 pages with more than 30 options — and we are looking forward to the questions posed by the opposition.

Mr. Cathers: I am going to be very brief in speaking to this in the interest of moving on to budget debate.

I would just express the concern — as we have in discussions at the Standing Committee on Rules, Elections and Privileges — that if government is going to start increasing the number of witnesses who come before the House, we believe that an additional sitting day should be added.

We have appreciated the opportunity to meet with the members of the Financial Advisory Panel outside of this House on a couple of occasions and understand the government's reason for bringing them in here and don't object to the choice to bring them into the Assembly, but we do just provide our general view that if government is going to

start bringing more witnesses in, it takes away from the time that members of the Official Opposition and the Third Party have to hold the government accountable and to debate the budget. I think that the government should be bringing forward a motion to extend the Sitting to compensate for the time that is being lost as a result of bringing in witnesses, but I am not going to spend a lot of time debating the point.

We will be supporting the motion and look forward to asking more detailed questions of the panel when they appear in the Assembly.

Ms. Hanson: I think that boat sailed. Mr. Speaker, we do agree with the idea of having the members of the panel be present here in the Assembly next week. We also look forward to the offered briefing in the morning of the same day. I would ask that House Leaders discuss an equitable approach to ensuring that all members do in fact have an opportunity to address the panel, because tradition has had it that when we have had the witnesses, the government members generally seem to be silent. That is not an equitable balance. It is two-thirds — one-third in terms of time for the Official Opposition and Third Party. I do think it's important that all elected members have an opportunity to speak as an elected member, not as a partisan whatever. Because of the nature of this report, I would hope that House Leaders will find an approach that will work for that limited period of time that they will be in this Chamber.

Speaker: If the honourable member now speaks, he will close debate. Does any other member wish to be heard on the debate of this motion?

Hon. Mr. Silver: Thank you very much, Mr. Speaker, and thanks for the comments from my colleagues across the way.

I will speak directly to the Third Party's comments. I have talked to my House Leader about the concept of equity for questions. We would love to be able to ask questions on this side as well. We fear having too much time from us doesn't give the opposition enough time, but I do agree. In my five years of sitting in the Third Party seat, sometimes when the witnesses do appear, not enough time is dedicated to the Third Party.

I would endeavour to get the three House Leaders together and have a conversation about the proceedings of that day. If we can find something equitable, I'm open to suggestions — absolutely. We've had that conversation over here; we would like to ask questions. Our private members and Cabinet ministers all have questions as well, as this is an independent panel.

Again, if it indulges the members of this House, I will get the House Leaders together to discuss what seems to be fair for all three parties. With that being said, thank you very much, Mr. Speaker, for your indulgence.

Motion No. 200 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Hutton): Order, please. Committee of the Whole will now come to order.

The matter before the Committee is Vote 55, Department of Highways and Public Works, in Bill No. 203, entitled *Second Appropriation Act 2017-18*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 203: *Second Appropriation Act 2017-18* — continued

Chair: The matter before the Committee is Vote 55, Department of Highways and Public Works, in Bill No. 203, entitled *Second Appropriation Act 2017-18*.

Is there any general debate?

Department of Highways and Public Works

Hon. Mr. Mostyn: I would like to welcome my Assistant Deputy Minister of Highways and Public Works, Mr. Allan Nixon, who is going to be helping me this afternoon.

I'm pleased to speak to the supplementary budget for the Department of Highways and Public Works for the 2017-18 fiscal year. The request is simple and concise. It is for only one initiative — the recently announced Yukon Resource Gateway project. On September 2, 2017, Prime Minister Justin Trudeau announced that the Government of Canada is committed to contributing more than \$247 million to this historic and promising initiative. The Yukon Resource Gateway project proposed upgrades to approximately 650 kilometres of existing roads in two key areas of high mineral potential and mining activity — Dawson and the Nahanni Range. This money will flow over an eight-year span.

It is important to note, Mr. Chair — to make perfectly clear — the federal government has agreed in principle to the project. A funding agreement has not been signed. The agreement in principle demonstrates Canada's commitment to the project. Securing an agreement in principle was an important step in advancing this major project, but there is still much work to do.

The next step for the Yukon government is to negotiate project agreements with the affected First Nations whose traditional territories are within the boundaries of the components of the proposed project. Let me be clear: A funding agreement with Canada is contingent upon Yukon government securing support and signing project agreements with the five affected First Nations. While the negotiation of project agreements is underway, we will also have work to do behind the scenes so that the project can move ahead once all agreements are signed.

To be ready for future construction seasons, additional funding is required to complete the design, assessment and permitting for the initial construction projects, which brings me to the details of this request. Highways and Public Works requests \$565,000 to complete the design, environmental assessments and permitting of preliminary construction projects.

Investment in access road infrastructure is vital to the future success of mineral exploration and development projects and, ultimately, for Yukon economic growth. The Yukon government will contribute up to \$112 million, and industry will contribute up to \$108 million once a final funding agreement is signed. This project will have a major impact on our Yukon economy.

In summary, the total supplementary budget for Highways and Public Works is \$565,000. This department will continue the good work of keeping our Yukon roads, bridges, airports and buildings open and safe year-round and will continue to work on realizing the Yukon Resource Gateway project.

Mr. Hassard: I would just like to begin by thanking Mr. Nixon for being here today, helping the minister provide us with some outstanding answers.

Some Hon. Member: (Inaudible)

Mr. Hassard: He is retiring on December 1? Boy oh boy, that changes how the afternoon is going to go — just kidding.

Mr. Chair, the first question I have for the minister is regarding the Nares River bridge. I am curious if the minister could explain to the House how this new system — I guess we will call it — progressed, and if he could explain the process to the Legislature on how this tender came about — please and thank you.

Hon. Mr. Mostyn: I thank the member opposite for the question. This is really a first for the Yukon. This is the very first time we've used such a process for a bridge construction project in the territory. It has been a very illuminating for me, and it required a lot of work on the part of the department, the Carcross/Tagish First Nation and this government to actually come up with this deal.

The first step was getting a request for qualification — getting a qualified bidder in place. They had to show more than experience and make some understanding about the northern environment. Once we had that list of qualified companies, we went to a request for proposals. We assigned points for First Nation participation and built up local capacity

in participation. This is the very first time that this has ever been used on such a bridge project in the territory.

The Carcross/Tagish First Nation was involved in the whole process, observing and making sure that the process did involve the First Nation and did work in their interest. Yesterday, Chief Carvill and I met in Carcross with my colleague, the MLA for beautiful Mount Lorne-Southern Lakes. It was actually a really great meeting. The chief and I had a great conversation about the project. He's very excited. He expressed to me that he's very excited that this is going ahead and is anxious to see it progress.

Mr. Hassard: I was hoping for a little more explicit information from the minister. Maybe we will start with how the points process worked. How many points were there? How did the First Nation component play in comparison to the price?

I noticed the minister said that, in the RFQ, there were points given for northern experience. I'm curious as to why that wouldn't be Yukon's experience. I believe that, in the past, it has been based on Yukon experience. If the minister could maybe tell us if that's a change — and why that change would have taken place.

I will leave it at that see where we go.

Hon. Mr. Mostyn: When we put this tender out, we wanted to make sure that the Yukon experience would count as part of the northern experience rating. We wanted to cast the net as wide as possible to make sure that we had the widest participation in this project as we possibly could. We actually had recognition of work in the NWT and the northern provinces as well. We also wanted to make sure that they had worked with small communities and had that experience as well. Once we did that, we cast the net as wide as we possibly could on those northern experience points and then we went to a request for proposal.

When the bid actually came in, it was actually 78-percent price driven and 22 percent on the other factors, which included the project team — their experience and what they brought to the table — First Nation participation and their schedule, in terms of how quickly they could deliver the project.

Mr. Hassard: I appreciate that information. A couple of questions regarding the Gateway project stuff that the minister was talking about in his opening remarks — I'm curious — could the minister provide us with some information on how much money the Yukon government will be putting into the Gateway project office that we have heard the Premier speak of?

Hon. Mr. Mostyn: The office expense is estimated to be about \$600,000 a year. Next year, we're looking at ramping up that office. We expect to spend probably about \$300,000 on that office next year.

Mr. Hassard: Could the minister tell us if there will be any new hires in regard to this project?

Hon. Mr. Mostyn: I thank the member opposite for his question. As he well knows, in light of the Financial Advisory Panel's recent report, this government is not as flush as it once was. We're going to be looking at our departments and trying

to make sure they are run as efficiently as possible. We're going to have to take a look at making sure we live within our means and not grow government too much. Those decisions haven't been made yet, but I will be asking the department to look at their resources to see how we can do this in the most efficient way possible.

Mr. Hassard: My next question to the minister would be — he used a number of \$600,000, but I don't believe that \$600,000 is in the supplementary.

Hon. Mr. Mostyn: It's not in the supplementary — the member opposite is absolutely correct. There's no money in this supplementary because the money is not going to flow until next year. This is something we're going to be discussing; this is an estimate for the next budget year, not this budget year.

Mr. Hassard: I think we'll have to check the Blues, because there seems to be some confusion on who said what and who used what numbers.

Still with the Gateway project — I'm curious if the minister can tell us if the government anticipates that all the permits will be in place by the end of the fiscal year.

Hon. Mr. Mostyn: We can't predict how the environment assessments are going to go on these projects, but we're working on the preliminary work that is needed to be done. I'm assured the projects we're looking at doing in the next year are nothing out of the ordinary for the department.

We are doing the planning we need to do on a number of different projects. The money in the budget for this supplementary budget includes work on the Carmacks bypass and the Nordenskiöld River bridge, which includes environmental permitting, hydrology studies, YESAA water licence applications, engineering and design for roadwork — these are on projects that are just very preliminary work and we hope to have some of that preliminary work done this year.

Mr. Hassard: Maybe it would be easier if we could ask the minister if he could commit to providing the House with a schedule of how the work is anticipated to be flowing over the next couple of years. Maybe he could give us some indication if that is an option or not.

Hon. Mr. Mostyn: That seems like an efficient use of the House's time. I would be happy to do that.

Mr. Hassard: I appreciate that from the minister.

I am curious if the minister can tell us which departments will be leading this project. I mean, obviously, there is more than just Highways and Public Works involved in this project. Will Energy, Mines and Resources or Highways and Public Works be the lead? Also, could he tell us which department is negotiating with the First Nations in regard to this project as well?

Hon. Mr. Mostyn: Well, there are three departments working on this project together. They include Energy, Mines and Resources, the Aboriginal Relations branch, and Highways and Public Works. The lead on the negotiations with First Nations is Energy, Mines and Resources, and we are participating in that process. We are actually the lead in discussions with Industry Canada and will be taking the lead

on design, procurement and management on the specific projects.

Mr. Hassard: I am curious as to if the minister can give us any insight into whether the Gateway project will move forward even in the hopefully unforeseen circumstance that these major mine projects that we see — or potential mines — do not move ahead or if we see them not getting their permits in place. Will the Gateway project continue to move ahead anyway, or will the permitting of those mines play any part in how the government moves forward with this project?

Hon. Mr. Mostyn: It's a good question from the member opposite. The answer is that we've compartmentalized this project so that not all components of this massive undertaking are dependent upon mining company involvement. That said, places like the goldfields — work on the goldfield roads doesn't need to have the gold corporation involved, because the Carcross bypass isn't dependent upon necessarily Casino.

However, there are components of these roads that are industry-dependent and do involve the corporations. The corporations have an investment of — as I believe I said earlier — \$108 million from the actual corporations. That is their contribution. If those projects do not go ahead, those sections of this project will not go ahead.

It is also important to recognize that none of this project will go ahead without First Nation sign-off in their traditional territory. The entire project is also subject to YESAA screening and everything else. There are a lot of components to this thing but there are some smaller places that don't require industry involvement.

Mr. Hassard: I'm also curious as to if the minister could let us know if there are any negotiations taking place with affected placer miners in any of these areas that may be affected by this Gateway project, because I think anybody who has been on a placer mine — you can show up one week and the road is here, and come back the next week and the road is in a much different place than it was the previous week.

I'm curious as to what kind of talks have taken place with the affected placer miners in regard to — if this road is here and it needs to stay here, how that may affect them.

Hon. Mr. Mostyn: I thank the member opposite for the question. We have had preliminary discussions through the KPMA on the concepts of the project and we're currently in the process of assembling what we're calling a road users' group. That is in the very preliminary stages of development. That group will contain industry representatives and that type of thing to actually work together to talk about these projects and where it might go.

We are, of course, committed to working with our industry partners on this project. We have been working very closely on the KPMA on goldfield projects through our resource roads project, which we increased to \$900,000 over the next three years, so we have been working with them on that. That, of course, is in the same vicinity, so we do have

those relationships and we'll be pulling on them as we go forward with this Gateway project.

Mr. Hassard: I appreciate that from the minister as well. I found my other page to my bridge question, so I am going to go back to contracts on bridges for a few minutes.

I'm curious if the minister gave us the scenario on how the RFQ and RFP process took place. Is it possible to have the minister tell us what other projects he foresees being done in this way? Is this going to be the norm for contracts or is there a size threshold or something in place for doing tenders this way?

Hon. Mr. Mostyn: I'm glad the member opposite found his page. I actually just found mine as well, so we've sorted those out. The short answer is yes. This is a template for projects going forward. This is a new way of doing business. This is a new way of involving First Nations and small communities in projects. We expect it to be used as a template for other projects like Teslin's Nisutlin bridge, which the member opposite will know about.

As for setting a threshold, we are working right now — I have been working very hard — on the procurement file and on trying to change the way the government buys goods and services. This is the very first tangible step in that process. We have learned lessons through this process and we're going to learn more as we go along, but we have awarded this contract. I'm very happy to have done that.

The short answer, as I said at the very beginning, is yes, we are going to use this as a template going forward on community projects and large bridge projects in the territory.

Mr. Hassard: The minister said "large bridge projects" and "community projects". I'm wondering if we could get an understanding of what he means by community projects.

Hon. Mr. Mostyn: This is a discussion about Highways and Public Works, so we are going to consider using this type of procurement method on bridges and roads. Within the department, as part of our one-government approach, we're looking at how we roll procurement practices out throughout the whole government.

I know my colleague, the Member for Community Services, has a lot of projects he's building, as well, and we're working together as one to find ways of using successful procurement methods in the other departments. I'm sure we will have those discussions as one government on how to do that effectively over the next year and beyond.

Mr. Hassard: I don't think that clarified anything. It might actually have muddied the waters a little more. Are we not talking about community projects, and we're now talking about road projects? Say we have a piece of road being rebuilt on the Campbell Highway between Watson Lake and Ross River — would this type of tendering process take place?

Hon. Mr. Mostyn: The goal, through our procurement process, is to make sure that local communities benefit from work happening in their region — if it was a First Nation, within their traditional territory, and if it is a community, within their sphere of influence, whatever that may be.

With the Nares River contract, we worked with the First Nation in their traditional territory. It is a piece of public

infrastructure and we changed the way that the tendering system rolled out to make sure that local benefits flowed to the local First Nation. That made sense in this project, and it will make sense in future projects.

Where this government can provide those local benefits to the community and the First Nation, and do it through a procurement practice, we are going to do that — where it makes sense, we are going to do that. For clarity, that is what we are going to do. That is the goal of this government — it has been the stated goal. It is in my mandate letter. It is the way that we are working through the procurement process. That is the goal — to make sure that locals, local communities and the Yukon as a whole benefit from the money the government spends as much as possible within the constraints of the free trade agreements that we have sign on to that we are bound by.

Mr. Hassard: I guess I need one more bit of clarification. If I understand correctly what the minister is saying, I hear it as: The government will decide when and where this new tendering process will take place. There is no threshold on price. It is not something — if the project is anticipated to be over \$10 million or it is not based on being within X kilometres of a community, it is just strictly whenever the government decides to use this new process, they will decide.

Hon. Mr. Mostyn: At the moment, the Department of Highways and Public Works and the good folks in procurement are working very hard in establishing guidelines and processes that will help determine where these procurement processes will work best. That work is ongoing.

I think we have committed to having the recommendations of the Procurement Advisory Panel, which the members opposite commissioned — have those processes in place by the end of 2018. We have been very clear that we are working toward that. This is one of those components. This is one project that we have started this project on, and it has gone very well. We are going to start looking at what we have learned from this thing and then look at how we can apply to other processes to make them better so that our territory — our local communities, our First Nations and our territory as a whole — benefits from the money that this government is spending on building roads and, perhaps, sewer and water projects, bridges and all sorts of infrastructure. That is the commitment. That is the timeline — it is the end of 2018. I wish I had more precise information for him this afternoon, but this is an evolving process.

Procurement has been an issue that the government has been struggling with for many years, and we dove into this whole process and we're straightening it out. We're working very hard to do that, and we will have more to say on the procurement processes, what plans we have, what thresholds we have and how we are going to forward with buying goods and services from this government in the coming months. I know this will be something that the member opposite will be asking about in those coming months.

Mr. Hassard: I guess I'm a little surprised and maybe a little concerned that we have heard the minister talk about

how this government is improving the procurement system, and it appears that their definition of improving the procurement system is changing the way that tenders are done without having any guidelines in place. He has just told us that the guidelines will be in place by the end of 2018. Well, why would you change the way the tendering process is done without having any guidelines?

I'm not going to dispute that there are issues with the tendering process. However, I would like to hope that you would have the guidelines in place before you started doing things in a new way. If I am misunderstanding something, maybe the minister could explain it to me.

Hon. Mr. Mostyn: I am going to go back to the Nares River contract and where we were at. We were at a procurement process that was looking at trying to get a bridge going. They had been trying to get this bridge going for quite a while and didn't have a deal with the Carcross/Tagish First Nation. When I took office, we looked at trying to bring the First Nation into the project — how to make sure that it works so we have some local benefits to that community.

We looked at what the existing system was. It is normally price-driven, and that didn't work for the First Nation. They didn't want something that was totally about the bottom line. They wanted to have some local benefits. This is something that this government wanted to do. So we looked at: How can we do that? How can we start to develop a system that works for the community? That's what we did.

We sat down and we had meetings. Departmental staff met with the Carcross/Tagish First Nation government. They then went through the request for proposals and request for qualifications system that I described earlier to try to build out and to try to get people who had northern experience, and who could work with First Nations and could demonstrate that they would do that. So this is the process we used. Through that process, we tendered the project and, in the end, got a bid that was competitive and we actually got some First Nation involvement in the process and buy-in.

That was a successful tender process. Now we have the tender awarded and we are going to wait and see how it rolls out going forward. We're going to evaluate it as it goes to make sure to see how it works — how this whole new process that had not been done before actually plays out in real time.

We'll learn lessons through that process and we're going to look at what we learned, as we had to do through the procurement process, and we're going to see what worked and what didn't, and how did we get here, and then we're going to refine that process so it works better on the next project, and the one after that. Those are the marching orders that I have given the department — to get something that works and then start to refine it so it improves over time. This was one first step — a very tentative, a very beginning step in this whole process — and I'm very happy with where we landed at this early time, and we're going to see what happens in the future.

As far as the guidelines, this is now forming some of the guidelines. This is how we're starting to roll out the new procurement process and learn from our mistakes — and learn from our successes, in this case — and we'll try to apply that

and make sure it goes forward to other projects in a well-considered and thoughtful manner.

Mr. Hassard: I guess I'll kind of move away from that a little bit, but not entirely.

I'm curious if the minister could let us know what projects he anticipates seeing this new procurement process — what upcoming jobs does he see that this new process will follow, or, I guess, what jobs will fall under this new tendering process?

Hon. Mr. Mostyn: I actually referenced this earlier today, and I will say it again. The Nisutlin River bridge is probably the next big bridge project where we're going to be looking at using this model going forward. We're starting discussions with the First Nation right now on ways forward. That's at the very beginning stages, but those discussions with the Teslin Tlingit Council are just starting, I would say — probably at the very preliminary stages. This project is going to be the template for that next project going forward.

Mr. Hassard: The Nisutlin Bay bridge, not the Nisutlin River bridge, because it's actually about nine miles from the Nisutlin River, but anyway — we'll get to that one in a few — once we get done with the Nares, then we'll go there.

I'm wondering if the minister could provide us with the details of the YACA.

Hon. Mr. Mostyn: There are employment and contracting opportunities. The tender documents included the requirement to submit a First Nation participation plan intended to address employment and training for the Carcross/Tagish citizens and Carcross/Tagish firms. Yukon government considered the participation plan in evaluating bids and awarding the project contract. Tender documents also included provisions that required the successful contractor to implement its participation plan. There were employment and training opportunities, a junior project inspector position training opportunity, a capacity development and quarry development geotechnical investigations, training opportunities for GIS system training and sole-source opportunities as well.

There was a financial contribution not to exceed \$200,000 for the Carcross/Tagish First Nation to be applied toward one or more of the following Carcross/Tagish First Nation projects. This included: prepping for a Carcross/Tagish First Nation gravel pit; installation of a fibre optic cable; and general improvement to the Carcross/Tagish First Nation government buildings.

Mr. Hassard: I'm curious if the minister could provide the House with a list of subs on that job as well.

Hon. Mr. Mostyn: I don't have that information at my fingertips, but I will talk to the contractor and get back to him with that information.

Mr. Hassard: I would appreciate that.

Nisutlin Bay bridge is nine miles from the Nisutlin River. Even when you're coming down the Nisutlin River in a canoe, you can hear vehicles going across the bridge as the previous Deputy Minister of Highways and Public Works explained to me when he was very tired of paddling.

The minister mentioned how meetings were beginning to take place regarding the Nisutlin bridge and, he said, with the First Nations. I know that for at least the last year and a half that we were in government, discussions had been taking place with the entire community, not just with the First Nation. So it was a year and a half and now this government has been in power for a year, so I'm curious if the minister could give us some updates on where those discussions are, when the last set of meetings took place, and I guess just generally an update on those discussions, please.

Hon. Mr. Mostyn: The short answer is that departmental officials met with the Teslin Tlingit Council in early November. At that time, as the member opposite knows very well, I have no doubt, the Teslin Tlingit Council worked with the Village of Teslin fairly closely and, at that meeting, it was recognized that the village had to be involved in future discussions. The department is working to provide some documents and a way forward, so we're working on a process that will involve both the village and the Teslin Tlingit Council, going forward. I think this is very important for this project, and I think the template we have pulled together and used at Nares is important to this whole process.

As the member knows, the last time this bridge project was brought forward, it did not proceed. It ended badly and we want to try to avoid that. There are a lot of issues with that — possibly the tendering — and we want to make sure that this goes smoother.

We're working on that. We know the importance of working with the First Nation and with the community and the Village of Teslin to get the bridge replaced right next to the community. Hopefully, it will be a quieter structure — that's one of the things we'll strive for.

Mr. Hassard: I appreciate that and I'm happy to hear that they're working with the entire community in Teslin on that project.

The Whitehorse corridor — we understand the government is looking at a five-year budgeting process. I'm curious, in regard to the Alaska Highway Whitehorse corridor, if the safety priorities have been set yet. Can Yukoners provide their safety concerns for consideration? If they can, how do they do that and what would be the deadline, if they were so able?

Hon. Mr. Mostyn: I thank the member opposite for the question. I was actually at the Hillcrest Community Association meeting last night discussing the highway corridor with residents of that association and that community. They brought forward a number of their thoughts, issues, hopes and dreams for the highway corridor that runs right outside their subdivision.

The members opposite have done a highway study. It has very detailed statistics and those statistics are continually being added to on a yearly basis. The traffic accident counts and everything else are compiled by the RCMP and will be part of this process. Residents, as they did last night with me at the community association meeting, can bring their concerns to me at any time, and I will certainly note them and pass them on to the department. The members opposite have

been giving me caseworks to deal with on safety concerns that they have identified. My colleagues have done so as well. That is all going to be part of this whole process.

There will be consultation. I have committed to that with the communities. I think it is essential to have community engagement on what exactly this highway corridor means to the city residents and the wider community of the territory. It certainly is of utmost importance to residents who live alongside it, but it is also important to the people of Pelly Crossing, Dawson, Mayo, Carmacks, and up and down the highway. This is a corridor that mining companies use. Alaskan businesses use it to bring goods and services up, right through Whitehorse. It is a major gateway to the territory. With all due respect to the Member for Watson Lake — of course it is a conduit, I guess, not a gateway.

We have a plan. We are starting next year with the north Klondike Highway intersection proposal that we are going to be bringing forward to start to do some work on that intersection. As we know, this last year a fuel truck tipped over at that intersection spilling a lot of material on to the soil. That intersection is one that we are going to be starting on, if it makes it through our budgeting process in 2018 as a proposal. After that, we are looking at Robert Service Way. The proposal will be for 2019 and, after that, we are going to be assessing. There is going to be a lot of talk. We are going to have to have some conversations with the people of Whitehorse. I have met with — as I said, last night — the members of the Hillcrest Community Association. I have done it several times. I have met with the Valleyview Community Association and corresponded with them as well. I have spoken to other community members up in Logan, Mountainview and the Granger area — and in Takhini, where there was a public meeting. The city held a public meeting there, and I attended that meeting with the Member for Takhini-Kopper King. That's where I have heard a lot of the community concerns and thoughts about what this corridor means to them and where they want it to go.

There is a lot of discussion that has happened and there will be a lot more discussion. As we get closer inside the City of Whitehorse, we will start to engage citizens abutting that highway on the areas that really do matter to them but, of course, there will be a formal process for that, but residents in this community have already started talking about this highway and I'm taking all that information in as we speak.

Mr. Hassard: I guess I'm maybe a little bit confused again here. I had asked the minister how Yukoners could provide their safety concerns for consideration, and if there was a deadline for them to do that. Then the minister proceeded to talk about meetings and consultation that needed to take place, and then he started to talk about the plan that was already in place.

I guess my question is: Is the plan in place so there will be no more consultation and no possibility for input from Yukoners to give input on anything, I guess, including safety concerns?

Hon. Mr. Mostyn: There is far too much confusion here. Let me try to alleviate the member opposite's concerns.

There is no deadline on safety. There really isn't. I encourage the members opposite, when they hear about something that does concern them in terms of safety, to please bring it to my attention and I will pass those concerns on to the department. They do an excellent job logging those concerns and actually planning for them for the future. There is no deadline on safety concerns.

There was a plan. Their plan was a \$200-million plan to twin the highway through Whitehorse, and that plan is no longer in effect, but there is a lot of information that was gathered in the formulation of that proposal, which is no longer being executed upon. We're using that information in the member opposite's proposal, one that did not, in my opinion, have overwhelming support in the community, so we've dropped that plan. That plan is no longer in effect.

But there are a number of intersections in that corridor that need attention. Using the information that the members opposite gathered, we are now addressing those on a needs basis as we have the money and the staff to deal with safety concerns.

We are prioritizing the projects around safety and allocating the money to deal with those projects on a year-by-year basis. As those projects come up, we will be consulting with the communities and they will have an opportunity — we have a new engagement website. I think it cost us \$1,000, to answer one of the member opposite's questions. I was told today that the new engagement website we have cost \$1,000, so that is now in place and that will be one avenue where the public can go — a one-window approach — to find out what engagement processes we are having and how they can get involved. That will simplify matters for the public. We're quite happy to offer that service to the Yukon public and we think it will help facilitate their engagement on projects such as this as they come forward.

As I told the member opposite, there is a budget process in place. We don't know what projects are going to get approved through that budget process. Once the budgeting has been approved, we will have a project and we will then go to the public for their thoughts and engage them on what they think about what we're planning.

Mr. Hassard: I guess maybe I will just ask if the minister would be amenable to tabling the plan at some point in the near future, Mr. Chair.

Hon. Mr. Mostyn: I am sure the members opposite have seen the former plan; it is the one that they pulled together. I am more than happy to give them a copy of that plan that they put together, but that is not our plan. Our plan is project-based. It's based on the safety concerns.

I have outlined our immediate — our first project will be the north Klondike Highway. The second project we're looking at is Robert Service and beyond that, we're going to start looking at other projects within the corridor area that are of high-safety traffic concerns. Some of them I have named: Two-Mile Hill is one — that area is one that we are looking at — but that is several years down the road. For the immediate future, we are looking at north Klondike and then Robert Service.

Mr. Hassard: So I'm assuming if you're talking about those two projects, is that a one-year plan, a two-year plan or a five-year plan?

Hon. Mr. Mostyn: For the member opposite, he asked what the plan is. We have two specific projects coming over the next two years. The five-year plan, the long-term capital plan, has not yet been finalized. It's in the works, but I'm endeavouring to answer the member opposite's question, which is what we are planning in the near future. I've given him two projects. The five-year capital plan is something we've committed to and we're working on that. When we have one together, we will certainly bring it before the public and the members of this House to have a look at it. That hasn't been completed or announced yet and I'm not going to do it this afternoon.

Mr. Hassard: I guess we'll move along here a little. A simple question: Can the minister provide us with an update on whether the signage will be back in place out in the Carcross Cut-off area?

Hon. Mr. Mostyn: Yes, the signage will be put back.

Mr. Hassard: The question was if he could give us an update on when the signage would be put back in place.

Hon. Mr. Mostyn: I'm working on getting a date for the member opposite right now.

Mr. Hassard: Rural roads — I'm curious if the minister could provide us with an update of what the budget was this year for rural roads and how much of the budget has been used.

Hon. Mr. Mostyn: The rural road upgrade program was \$200,000 this year. It has been totally spent. There is also the resource access road program, the one for resource roads, and that's \$500,000 a year, and it too has been spent this year.

Mr. Hassard: I have some questions regarding street lights in the Watson Lake district. I know the MLA for Watson Lake has discussed this with the minister. She has asked about having street lights along the Campbell Highway from Watson Lake to the Two and One-Half Mile subdivision.

I know she was told that the department found there was no need for lighting in that section. However, the engineering department would re-evaluate including pedestrian counts. I know that the minister did commit to getting back to the MLA for Watson Lake last February so I'm wondering if we can get an update on how the counts went and if there are any updates in regard to whether the street lights may be put in place.

Hon. Mr. Mostyn: We don't have the precise numbers of that update at our fingertips this afternoon, but I will get that information to the member opposite — the Leader of the Official Opposition — and the Member for Watson Lake.

Mr. Hassard: I'm curious if, in saying that, does the minister agree that the count has taken place and that he just hasn't provided those numbers yet — or has the work actually been completed?

Hon. Mr. Mostyn: It is my understanding that the work was undertaken but no final report has been provided yet. We are going to look into that. I have asked that we look into that and find that information. We will get back to the members opposite.

Mr. Hassard: Just a question following up on that — I'm just curious if the minister feels that doing a pedestrian count in winter — I would think that there are going to be less people walking in winter when it's 40 below than when it's a little warmer. Does he feel that this is a sufficient way or a practical device for determining whether or not this section of highway should have street lighting on it, or does he feel that the concerns from the citizens in that area may have a little more weight to it than a count?

Hon. Mr. Mostyn: There is a warrant system — Yukon warrant system — that is applied to street lighting. The Watson Lake stretch was first assessed a few years ago and did not meet those warrants. I have been told by officials that those warrants are being reassessed — no pun intended — in light of Yukon circumstances — the special circumstances found in the territory. That said, I think the member opposite was alluding to our winter counts — a good method of doing it. But, of course, the winter is when the lights are most needed. In the summertime, it is light outside and generally lights aren't that needed. I think using it when lights are the most necessary is probably an accurate method of assessing the street light issue in Watson Lake.

Mr. Hassard: I understand where you are coming from on that. We will leave that one for now.

I have a question regarding the tender for purchase of motor graders. The tender was closed and the tender management system says that there were no successful bidders, so it is being retendered. Has there been any substantial change in the tender from the original one?

Hon. Mr. Mostyn: I can reassure the member that there are no significant changes in the specs. There were just no compliant bids for that tender.

Mr. Hassard: On the forecast section of the tender management system, there is a proposed tender for the new Supreme Court Judge's office scheduled to be tendered tomorrow with a starting date of December 19 and completion date of March 20, 2018. I'm curious if the minister can confirm with this House if this is on schedule as planned.

Hon. Mr. Mostyn: I am going to beg the indulgence of the member opposite. We will have to get back to him with more information on this one.

Chair: Would members like to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is Vote 55, Department of Highways and Public Works, in Bill No. 203, entitled *Second Appropriation Act 2017-18*.

Mr. Hassard: The next question I had was regarding the Aishihik Road. There were a couple of bridges being replaced this year. There have been a few jobs on that road

over the last few years. Traditionally, they have gone out to tender and they have been on the tender management system.

This year, it appears that the money was given directly to the Champagne and Aishihik First Nations, which then gave the work to a construction company that's part of their development corporation. Actually, I think they ended up hiring someone to do the actual bridge work because they had no bridge experience.

I'm curious as to if the minister could provide us with some information as to why this job was undertaken this way, and we'll go from there.

Hon. Mr. Mostyn: Aishihik bridges — the bridges that were replaced were on an unmaintained section of the Aishihik Road. Discussion has been ongoing with the Champagne and Aishihik First Nations for a long time now — a few years, anyway — on how to deal with these bridges. This year we reached an arrangement with the Champagne and Aishihik First Nations to get the job done, to replace these bridges. We had a transfer payment agreement with the First Nation. They hired a contractor to do the work. The contractor hired a bridge engineer. We inspected the bridges and made sure they were up to snuff. They did pass the inspection, and the bridges are now in place and available for use on that unmaintained stretch of road.

Mr. Hassard: Would the minister be able to provide us with a dollar amount for that transfer?

Hon. Mr. Mostyn: I actually can, Mr. Chair. The total the cost to the Yukon government for the bridges and installation was \$358,000 and \$80,000 to install the bridges, and the total investment was \$438,000.

Mr. Hassard: Would the minister be able to inform this House if that was within the budget that was forecasted by the department before the work proceeded?

Hon. Mr. Mostyn: I have been informed that it was within the budget.

Mr. Hassard: I'm curious — does the minister foresee this type of non-tendering, I guess we'll call it, in the future on any projects?

Hon. Mr. Mostyn: This was a unique situation, I have to say. We had an unmaintained stretch of road that was used a lot by a local First Nation. So we had years of effort trying to get this job done, and we managed to reach an agreement with the First Nation that was acceptable to both sides and we got the bridges installed. It is a unique situation, so it's hard to say if we would ever use it again but, if the conditions were right, we might use a similar approach in the future.

Mr. Hassard: It is my understanding that the Highways and Public Works sign shop is currently purchasing some more equipment.

If I am to understand correctly, this equipment will allow them to do bigger jobs and bigger signs. I'm curious — once the sign shop purchases this equipment, will they then be doing these larger jobs in-house? Will the local sign manufacturers or companies that have traditionally bid on this work for the government — will there no longer be any tenders for them to bid on?

Hon. Mr. Mostyn: We are replacing equipment at the sign shop — equipment that already exists but is broken. We don't expect this will change the work the sign shop does in any reasonable way.

Mr. Hassard: I'm happy to hear that because I have a question about the Queen's Printer then. We have heard through the grapevine that the Queen's Printer has successfully given prices to at least one consumer — I guess we will call them — and has actually done a job for that consumer. I'm curious if Queen's Printer — are they now in business? Will they be bidding on private sector jobs? Will they be competing with local companies that are in the printing industry here in the Yukon?

Hon. Mr. Mostyn: If I could beg the member's indulgence, I will get more information for him. It is not our understanding that the Queen's Printer is now competing against private sector companies, but I do need more information, so I will endeavour to get that for the member opposite.

Mr. Hassard: Let's go to the *Public Airports Act* for a few minutes.

I'm curious as to if the minister could tell us if the draft regulations on the *Public Airports Act* are available for consultation yet. If it is in fact out for consultation, how long the consultation period will be?

Hon. Mr. Mostyn: I thank the member opposite for the question on an issue that is near and dear to my heart and I really love.

The member opposite knows that the *Public Airports Act* is still before the House. The forensic analysis the members opposite have given this piece of legislation still isn't done.

It is still before this House, and once it passes — if it passes — then we will be able to tell whether or not we can do the regulations. But it would not make sense to go with draft regulations before we actually have an act. So once that act passes this House and makes it through the heavy scrutiny of the members opposite, then I would be more than happy to start on the regulatory process, but at this point, I cannot do so.

Mr. Hassard: We asked during the *Public Airports Act* debate if the minister would consider pausing the work on the system review — the 2040 plan. We asked if he would consider pausing that until after the regulations were consulted on and he said he would consider it. I am just curious if he has considered it and if he has determined whether he will follow that course of action yet or not.

Hon. Mr. Mostyn: The 2040 plan has come up in discussions with the aviation industry over the last eight months. It has come up in my conversations with stakeholders at the airport. I would say to the member opposite that nothing has changed. It is still under consideration — about the process going forward. The 2040 plan is not finalized, but I will say that this is a planning document.

I think it is important to note that this document is a way to lay out a vision for the airport going forward — a way that lays out what land is available. I know that is an issue to many aviation companies at the Whitehorse International Airport.

They want access to land, and we want that land to be made available in a consistent, transparent and thoughtful manner.

For years now, the airport has been governed with no rules, and that has led to some issues. We had to start planning our international airport and the scarce land and other scarce land up at that site — the 2040 document is one piece of that puzzle. It's an important piece.

I can't give the member opposite a definitive answer right now. I'm looking into this and seeing how we can balance the needs for a land use plan, which is something that is important and the Leader of the Third Party referenced it today in regard to land use planning. We feel it's important too, so we need to consider that — rather than a willy-nilly, one-off approach — with the need to get land out to the industry that is clamouring for it in order to expand and to do their operations.

There's a lot at play here, Mr. Chair. I'm delving into this subject to see how we can meet the needs of industry and plan and execute on the airport in a reasonable and thoughtful manner.

Mr. Hassard: I have spoken with one industry rep who was curious about having the airstrip moved or the location changed near Eagle Plains. I'm curious as to if that's something that the minister has heard about and — if he has or hasn't, I guess — if he would consider including it in the system review for consultation.

Hon. Mr. Mostyn: I thank the member opposite for that. I have actually spoken to an individual myself about this project. I will tell the member opposite that it's not in our sights at the moment to do this, but I have heard the case made on this plan and some of the benefits and some of the issues. Airports are not cheap; they are expensive pieces of infrastructure and require a lot of planning.

In the act that's currently before the House, there is a mandatory airport advisory committee, and we would hope that such a committee, were the legislation to pass this House, would actually be able to provide some information to us about such things as establishing a new airport at Eagle Plains, or any number of things. That is one of the benefits this act will bring to the territory and to this government and future governments.

The system review, though, is finished. It has wrapped up and it is separate. It is a different beast than the 2040 document that the member referenced earlier. So just a point of clarity on that — they are two separate processes. One has wrapped up and the other one has not.

Mr. Hassard: Just a couple more things on airports — the minister has spoken about not closing any airports, so I am just curious. Can we get on record that the minister has confirmed or will confirm that none of the airports, airstrips or aerodromes will be closed in the Yukon?

Hon. Mr. Mostyn: Yes, I can confirm that. There are no plans to close any airstrips in the territory.

Mr. Hassard: I appreciate that from the minister. The Mayo Airport — we have heard talk of Air North and Alkan Air both talking about the possibility of scheduled flights into Mayo. I'm curious if the minister could inform this House if the airport is up to standard and ready for the possibility of

increased use and also if the government would be considering doing any upgrades and expansion to the waiting area in the Mayo Airport?

Hon. Mr. Mostyn: I'm sure members opposite will know that the Yukon government did obtain a two-year exemption to allow a test of the Mayo Airport a few years ago. That exemption expired with no use, so we have been approached by Air North for — no pun intended — another pilot project. The last one didn't go. They approached us again and said they would like us to allow them to do this scheduled flight into Mayo. We're prepared to look at that and to work with Air North on a pilot project that would require us to get another exemption, and we have started discussions with Transport Canada to do that. That's where we are.

As far as improving the Mayo Airport and aerodrome, the test would actually then ascertain — we won't do any work until we actually see what the results of a pilot project, if one were to be executed, would actually show us about whether it's viable or anything else. That would be part of the process.

Certifying an airport for scheduled service requires a whole new level of Transport Canada oversight, so we would have to look at the total package before we did that as Transport Canada brings in a whole new set of rules when you actually have scheduled flights going into an airport. That would have to be part of this whole pilot project assessment.

Mr. Hassard: It's my understanding that the pilot project would be with Air North flying in there. However, if Alkan — which, I believe, has partnered up with the development corporation of NND — started flying a scheduled service in and out of Mayo, why would upgrades to the waiting area only rely on what Air North was doing? Would it not seem that, if Alkan was doing regularly scheduled flights into Mayo, it might indicate or maybe precipitate the government to do some upgrades to the holding area or the waiting area?

Hon. Mr. Mostyn: The exemption — should we actually seek and obtain one — would apply to any carrier flying scheduled services into the Mayo Airport. We have been dealing with Air North because Air North has approached us with a request to help them do scheduled service into Mayo.

Alkan Air — to this point, we have not had any formal requests from that air carrier to do scheduled flights. If they want to do that, they should approach us. We would be more than happy to hear what their plans are.

Mr. Hassard: I appreciate that from the minister.

A question regarding towing — I understand that recently, a memo has been circulated by one of the MLA for Copperbelt South's constituents. This memo has highlighted concerns regarding the impact of government policy on the future of a competitive and reliable towing industry here in the Yukon. Understanding that many departments have shown support in regard to this memo, I am curious if there are any plans to actively pursue options to improve the current situation? If so, would the minister be able to shed some light on that situation for the House today?

Hon. Mr. Mostyn: We have met with the business person in question. I had a really great conversation with her in my office. I have been working with the member opposite on his constituent's case. For me, it is troubling. There are some really substantial issues there and I am working very closely with the Minister of Justice and the Minister for Economic Development on this file. We are trying to come up with a solution for the issues that the company — that business person — has brought to our attention. It is an active file and something that my colleagues and I want to solve.

Mr. Hassard: In regard to seasonally dependent contracts that are to be tendered by March 31, 2018, there doesn't appear to be very much in the works for vertical infrastructure for the next building season. We have not seen many design projects in the budget for this year either. Can the minister tell us, outside of the projects done through Community Services, how many buildings will be shovel-ready for next year? Will the tenders for those projects be in place by March 31?

Hon. Mr. Mostyn: We have not announced our seasonally dependent contracts for 2018. We have committed to getting that list for the contractors by March 31, 2018, and we fully intend to have a list of seasonally dependent contracts assembled before March 31, 2018.

Mr. Hassard: The other part of that question was about the design. I am assuming that they are not announcing projects for next year, obviously, but there must be some buildings being designed so that they have projects to announce for the next construction season. Could the minister give us an update on what there are for projected designs?

Hon. Mr. Mostyn: I thank the member opposite for his interest and his diligence on this matter. I have been informed by the department that we're working on the designs and when March 31, 2018 comes around, there will be much more clarity about what projects are coming forward.

Mr. Hassard: I guess we're not going to get an answer on that one.

We've seen that the Government of Canada will be providing funding for community space in the new francophone high school. I'm wondering if the Minister of Highways and Public Works could possibly provide us with a copy of the functional plan for the new proposed school.

Hon. Mr. Mostyn: I'm going to take that question under advisement. I'll endeavour to look into it and see if the government releases functional plans. We're not entirely sure how accurate they will be in the end. I'll look into it and, if I can and if it's something that we have — I'm a big fan of getting information for the members opposite and for the public, so I'll look into that and if I can release it, I will.

Mr. Hassard: I'm curious as to if the minister could give us any updates on if there are other land options being discussed, given the uncertainty around the proposed site. If so, has soil testing been done on any of the land identified for the school?

Hon. Mr. Mostyn: I want to assure the members opposite that when this caucus learned of the environmental contamination at this site — I think I had a pit in the bottom of

my stomach. There's no two ways about it. We had a project that was ongoing and we had made some decisions, and then to find this other hurdle we had to cross — it was deeply upsetting to me and my caucus colleagues.

We are dealing with that environmental contamination. We have done the initial testing, but my understanding is that there's a little bit more to do on that site, perhaps in December, to make sure the remediation has actually worked.

That work is ongoing. As far as testing other sites, no, we have not yet done that. We are still hopeful that this site is going to be usable and will be suitable for this new school. We are hopeful, but we have not yet done any testing on other sites.

Mr. Hassard: I'm curious if the minister could update us on when the criteria will be finished for the 10 \$1-million-per-year projects that can be directly awarded or tendered to only Yukon companies, as per the *Canadian Free Trade Agreement*?

Hon. Mr. Mostyn: I'm very glad the member opposite has asked this question. We have been working very hard on this file for what seems like a long time now. It has only been a year, but we have been working on this file — what to do with this.

We have done scans of the other jurisdictions to see how they handle their exemptions and we have found a vacuum of approaches. There are very few jurisdictions actually using these exemptions that are allowed under the *Canadian Free Trade Agreement*. They are not entitled to be used by every jurisdiction. I believe the number is eight in the country. They are allowed to use these 10 \$1-million exemptions, and very few jurisdictions in the country have actually employed them. The rules that other jurisdictions have put into place to use them are really not there. In some ways we are a little bit ahead of the curve or at least in line with the other jurisdictions in starting to use these exemptions.

So what they mean is that Yukon has specific tailored powers for increasing local employment, supporting small firms and developing our rural economy. We are still developing this process to identify and select projects that may be eligible to ensure that we're choosing to spend strategically where we will have the greatest effect and maximize economic benefits for Yukoners. You have to understand that we want to make sure that when we actually do employ these contracts — and, as I have said, these aren't used in other jurisdictions. In some ways, we are trailblazing here. We want to develop a process so that when we actually employ them, it's done fairly and we get the maximum benefit. We don't want to employ one of these exemptions on a \$350,000 contract and then find one later on that might be better, so we have to find a way of maximizing the yield and making sure that all departments have access and that we employ them well.

We will be working on specific details over the next few weeks and months to determine how eligible projects will be chosen so Yukon gets maximum value. We expect to have a working document on this sometime in the next few months that aligns with our five-year capital plan.

The department staff have been working very hard on this file, doing a lot of legwork to find out how best to do it. I know these exemptions have not been used often in this jurisdiction — very rarely — and so we're just looking at how to do it properly and efficiently.

Mr. Hassard: I would think that the reason they haven't been done before is because they didn't actually come into effect until July 1 of this year. They couldn't have been done before.

Will the minister confirm for the House today that there won't be any projects for this fiscal year then?

Hon. Mr. Mostyn: I'm going to ask the member opposite to please repeat the question. I missed it. I'm sorry about that.

Mr. Hassard: Will there be no jobs under this exemption for this fiscal year?

Hon. Mr. Mostyn: I would say that, at this stage — we have about five months left, roughly, in the fiscal year, give or take. It's fairly late in the season. The *Canadian Free Trade Agreement* came into effect in June so I think it is unlikely that we'll use them but I have asked the department. We're looking at what can be done but, more than likely, it will be for next fiscal year before we start to use these exemptions.

Ms. Hanson: Just to follow up on that, I attended the chamber of commerce breakfast meeting the other day on the *Canadian Free Trade Agreement*. I think that it would be fair to say that many local businesses that attended that meeting were both pleased to see these 10 \$1-million exemptions and would have every expectation that the Yukon government would be making every attempt to exercise that ability because of the time-limited nature of it. It seems to me that a government the size of Yukon should have the nimbleness — we heard that word being used by government members earlier today — to be able to actually take advantage of these exemptions.

Perhaps I misheard the minister when he said that there won't be any of these contracts of \$1 million or less issued between now and the end of this fiscal year. Does that mean he won't entertain any, or what? I just saw one go flying through today for a tender for \$1 million for one month under the Public Service Commission, which I forwarded to the minister today. I was very curious about that. It seems to me that \$1-million contracts do get tendered on a regular basis.

Hon. Mr. Mostyn: I thank the Leader of the Third Party for wading into this. I know that there is a lot of anticipation about these 10 \$1-million contracts. They are a component of the trade agreement that just came into effect. As I've said, a number of jurisdictions in this country are starting to look at them. Very few — none, in fact, that we can find — have any really good rules or methods of disbursing this money in a fair and equitable way or in a reasonable way.

We are looking at that. I have a department that is weighing its options and looking at this. If we can, I would love to get this money out the door and be able to do it, but I want to make sure it's done properly and with some planning. The member opposite knows about land use planning and planning. Planning is important — not doing these things in a

way that creates inequities, such as you just give it to one company one year and then the rules actually come into play, and then a company applies next year and says: "Hey, why?" We're going to do this in a thought-out, thoughtful manner. We're going to do it methodically and make sure we have a system in place that's fair to everybody, that the department and this government understands, and that's transparent and open and well-thought-out.

That's how we're going to do it. I have absolute confidence in the department to do that work. They're doing it now. We're one of the first jurisdictions in the country to do that work and, when it's done, we'll let this House know.

Ms. Hanson: I had no intention of going there, but I can't understand. The Government of Yukon mandated a negotiator — a negotiating team — people to represent the Government of Yukon. This government — not the past government, this government — gave that mandate, so surely to goodness you would expect that you would have a mandate that said we anticipate success.

When we ask for this, if we ask for 10 exemptions of \$1 million for two years, we anticipate being able to use it, because that's the reason we're asking for the exemption. Now to tell the House, how many months later, that we're not going to use that mandate — what the heck did we send the negotiator — at great expense — to the table for? What was the purpose of this exemption, Mr. Chair?

I don't understand how the minister can say, having achieved this, that there was no purpose to asking for it.

Hon. Mr. Mostyn: The *Canadian Free Trade Agreement* involved all jurisdictions in the country, and eight of them actually got these exemptions — eight of them did — including the Yukon, eight of them, with these exemptions. None of those jurisdictions have any concrete plans or criteria in place at this time. We're all starting that work.

It is great that we got it. It is great that these processes are in place, but on the procurement side, we don't have any rules yet to disperse them. I am looking at ways of getting this money out the door as soon as possible, but I'm not going to do it in some sort of haphazard, here you go, Joey, here's your million-dollar contract this year, without having a proper process and rules in place.

That is the process that we are going to employ and, with any luck, that work will allow some disbursements this year. This is something that goes on every year. It is an annual program. We have \$10 million next year as well. By that time we should have some rigour — some process — in place, which I know the member opposite can appreciate, which will allow us to distribute this money in a fair and equitable way that has some rigour to it.

Ms. Hanson: I am not going to waste my time on this. It is clear that the minister does not understand the provisions of the agreement that was negotiated on behalf of this government. It is unfortunate that this is the truth. You have provisions right now. You already have procurement processes. You have an exception for how you can spend on a local manner that \$1 million, 10 times over. Surely to goodness, you have a number of these contracts already at

play — tenders that are out there that might help them and might expedite it.

But I am not going to waste my time on this because we will come back to it, and I anticipate that this will be a very interesting conversation come the next budget year when there are still no procurement guidelines for this exemption and you have wasted a whole year — holy cow. Local businesses in this town will be just shaking their heads. I am sure that the chamber of commerce, which put on that breakfast the other morning, will be going: "Huh? Did the minister not take the briefing?"

What I want to go back to was that at the outset of the conversation, the only amount that is in the supplementary budget is the amount for the Yukon Resource Gateway project. I want to ask the minister if he is familiar with chapter 11 of the *Umbrella Final Agreement* — not of NAFTA because there could be that confusion too.

Hon. Mr. Mostyn: Yes, I have some familiarity with chapter 11.

Ms. Hanson: So he is familiar with it being land use planning. I am wondering how the minister and this government jives proceeding with developing and doing the design work and, as he said at one point, that this Resource Gateway project — and outlined the hundreds of millions of dollars that will be contributed by the federal government, Yukon government and industry — that it will have a major impact on Yukon's economy.

I am wondering how he thinks that proceeding with this — and I understand the requirements for YESAA and all of that, but one of the things that the Yukon government has agreed to with Yukon First Nations is to complete land use plans. Chapter 11 says in 11.1.1.2 that land use plans are: "to minimize actual or potential land use conflicts both within Settlement Land and Non-Settlement Land..." Also, it goes on to say that the land use plans will "be linked to all other land and water planning and management processes established by Government and Yukon First Nations minimizing... any overlap or redundancy..."

I am wondering: If you proceed in advance of land use plans before you know what is appropriate, before you know what values those lands hold for all stakeholders, all governments, all interests and maintaining the objectives of both the land use planning chapter, the water chapter and other chapters throughout this agreement, how do you do that and still maintain the integrity of the agreement and particularly chapter 11?

Hon. Mr. Mostyn: I thank the member opposite for the question on land use planning. Land use planning — you're not going to get an argument from me. I think land use planning is a very important process for the territory — absolutely.

Unfortunately, as the member opposite knows, the whole process was derailed by the former government's decision on the Peel watershed. That issue is before the courts, but they clearly didn't follow chapter 11. That is why we are in court. That is why this whole thing has gone on and why we now have years of lost time on land use planning in this territory,

and it is held up until the Supreme Court rules on the Peel watershed decision. It is a heartache and this government is working very hard to restore the confidence and restore certainty to the territory so that businesses have some certainty — have some reassurance — that they can do work in the territory without facing lawsuits and all sorts of other impediments to business.

We know that has hamstrung our economy in some ways over the last several years, because business lost confidence in their ability to actually do work in the territory in the wake of the Peel decision. We have worked very hard and continue to work hard on that file to make sure that we work very closely with our First Nation government partners in managing this territory's resources.

The land use planning issue in the Klondike and other places is going to be a massive task and there is no money and we have all sorts of things we have to deal with to get that process restarted in a responsible way. I know that this caucus is interested in that process and wants to make sure that we do proper planning. So, that is us on planning. We are waiting for the Peel watershed decision and, once that comes down clarifying the mistakes of the past, we will be able to move forward.

I am really happy to see the member opposite advocating planning in advance of action. I think that is an important thing to do. It's important in procurement. It's important in land use planning as well, so that is what we are going to do. That is where I am coming from and I am happy to do that work.

However, we are working with our First Nation partners on the Gateway project. We are working very closely with them. As a matter of fact, they have signing authorities, if you will. They have to believe that these projects are in their best interests before we proceed with them. They have a veto, they have a say over these projects and if they deem it in their interests, they will proceed, and if they say it is not in their interests, they will not.

As far as the projects themselves go, these are existing roads. These are not new roads. These are existing roads that we're working on. Once the First Nations sign off and say yes, these roads should get the upgrades that Ottawa and the Yukon government and the corporations are willing to invest in, then they'll proceed if they pass YESAA and if the corporations are actually going ahead with their projects and all the other hurdles inherent in this project.

The very first hurdle is making sure the First Nations sign on to that. Once they do, then they will proceed and then we'll go through. With any luck, Mr. Chair, we will have land use plans starting in the near future. I know those are important for the territory, but we have to wait for the Peel watershed decision first.

Ms. Hanson: I don't take comfort in that answer and I will be looking in future discussions at risk management processes the government has taken with respect to this. I do not understand how the minister can suggest that the government is only working on existing roads, and then

suggests that we're spending in excess of a quarter-billion dollars to do so — makes no sense.

Mr. Chair, simple questions now: How about light standards? The Chair represents the Mayo-Tatchun riding. The previous Member for Mayo-Tatchun asked the question for five years in a row: When will safe street lighting — light standards — be installed at Stewart Crossing? It's a very simple question, but it is a matter of safety. Numerous letters have been filed in this Legislature.

Can the minister just give assurances to the citizens of Mayo-Tatchun that this will happen — and when?

Hon. Mr. Mostyn: We discussed street lighting in this House earlier today. I've mentioned the warrants. We look, on an annual basis, at what areas we apply the criteria to triage the most pressing areas for street lighting in this territory. It goes through a budget process. The Cabinet will make a decision going forward as to where it fits in our budget priorities.

We have a ferocious advocate for the constituency of Mayo-Tatchun in our caucus, and he often brings issues to my attention. I'm sure I will endeavour to talk with him about this issue in the near future.

Ms. Hanson: How much does a light standard cost?

Hon. Mr. Mostyn: It depends on where the light is being installed. On a street corner in Whitehorse, it is one cost, and on a street corner up in Mayo or Pelly Crossing, it's a different cost — but ballpark, I have been informed by my official, it is somewhere about \$50,000 a light.

Ms. Hanson: What's the signing authority of the deputy minister? What's the signing authority of the minister? Does it really require Cabinet approval to get a \$50,000 light standard?

Hon. Mr. Mostyn: I'm really not sure what the member opposite is suggesting. It is part of the budget process — \$50,000 is \$50,000, whether you have signing authority or not. It still has to be budgeted; it's still part of the costs of this government.

This government — we've made no bones about it. The Financial Advisory Panel has talked to us about the spending practices of the past — \$1.50 out for every new dollar in. Yes, we're watching our pennies. I'm not suggesting that the needs of these light standards are not — I don't know where they sit in the queue. I will talk to my colleague about that. I will talk about it in our budget discussions coming up. But I'm shocked if the member opposite is saying that \$50,000 here, \$50,000 there — you just sign it off. It doesn't work that way; it has to be within a budget. The budget has to be approved and we have to think about how we're spending the money in the territory.

Everybody wants light standards, and this and that. What happens when you do that is you end up spending \$1.50 for every new dollar you take in. This government isn't doing that. We're going to have some strong financial management. We're going to put some rigor into this whole process and make sure that we get the most benefit for the dollars that we're taking into this territory. That's what we've promised to do and that's what we're going to do.

Ms. Hanson: That's an unfortunate misunderstanding of the budgeting process, the envelopes and the flexibility that the minister has when he has the mandate and the various votes that he could be working within. I won't go there.

My colleague from the Official Opposition had raised questions about the highway corridor. I want to come back specifically to the issue that we did raise, and that he alluded to, with respect to the crossing adjacent to the airport.

The minister mentioned that he had spoken with the Hillcrest Community Association. As he knows, prior to being a resident in downtown Whitehorse, I had been on the Hillcrest Community Association for many, many, many years and had been part of the community efforts to try to get safe crossings — even before the current improved trail systems around the airport and that.

In addition to the Hillcrest Community Association pressing for it this morning, the Downtown Residents Association sent a letter to the Minister for Highways and Public Works reiterating their concerns about the current — and I'm quoting here — crossing at the end of the paved escarpment path by the airport entrance being poorly lit and confusing for drivers and pedestrians alike, as drivers turn left and right from either side of the highway.

My question to the minister is — he has identified the corner going up to the corner of the Alaska Highway and north Klondike Highway. It is sort of on the books for 2018, and Robert Service Way for 2019. Does the minister not have any ability to plan for interim safety requirements to mitigate threats to pedestrians and cyclists? He talked about the fact that Valleyview and others — the Hillcrest area actually serves as a feeder for bicyclists and walkers coming down from Granger, including, at times, Copper Ridge, which seems strange to me, but people do take that because of the fire road that's between Granger and Hillcrest Drive. Is there no flexibility within the minister's thinking and/or budget to try to respond to the interim safety before the comprehensive plan for that stretch of the highway is completed?

Hon. Mr. Mostyn: I thank the member opposite for her remarks on this. We do have the flexibility, of course, to do that type of thing but, again, there's money. It costs money. How many people cross at that section of the fire road? The member opposite says it's strange that people use that fire road from Copper Ridge. Actually, I'm one of the strange people, because I use it on a regular basis when I'm biking into town and crossing the highway at that very site. I'm one of the few people who use it almost every day when I have time to bike to work — and I have done that for years. I've crossed the highway at 8:00 a.m. at high traffic at that stretch of road on a regular basis.

I know personally what it's like to cross the highway at that time in high traffic when cars are coming. Sometimes it takes a little bit of time. You have to be patient for that break in the traffic, but I do get across, and safely — so far, for six or seven years.

The issue is that we don't have really good pedestrian counts for that stretch. There are others, as well — Burns Road and other people talk about their kids crossing there.

That's fine, but we don't have the evidence, the traffic counts, that say, yes, there are 500 kids who cross at that stretch.

We just did the work down at south Klondike Highway, right at the Carcross Cut-off, and residents there were talking about putting an underpass in and other things. Again, the traffic counts — when we did that work — didn't support the expense of doing that work. That is what you do when you do a proper planning exercise — you start to do those counts to actually ascertain what structures belong there. I could put an intersection in — \$50,000-worth of lights or \$100,000-worth of lights or three light standards and a crosswalk — you could probably be up to at least \$75,000 and maybe \$100,000 — and how many people are using it?

But I do know that, when we do the work out at the north Klondike Highway, we're going to do the analysis and we are going to talk to residents out there and people who use it, and they'll say, this is how it is, and we will make those decisions with proper planning. I know that the member opposite is in favour of planning, and I am in favour of it too. I'm going to do that work. When people bring safety concerns to us, we evaluate and take them seriously and we will continue to do that.

Yes — discretion — if we do have major safety concerns in an area, then we do have the discretion to act, but that action does come at a cost. We have to make sure we're getting the best use of the money that this territory is given, so that takes some planning and some facts. Anecdotal evidence does not often lead to good decisions, so we want to make sure we make the best decisions based on the facts that we collect. I am fully in favour of that and planning properly and that is what this government is going to do.

Thank you, Mr. Chair.

Ms. Hanson: I take it then that the minister will ignore the years of requests from various community associations, ignore the potential and the opportunity to encourage people not using fossil fuel cars to get to work, not listen to or look at the opportunities to mitigate potential dangers and suggest that really, what it takes to get action, is to have an accident. What he said earlier was that the response on the north Klondike Highway — because it is not the first time they did some not very exciting or very effective work at that corner — just this last year. Now we are prepared to spend big bucks out there because there has been rollover of a vehicle. I don't think that is what we want to be saying to citizens — that we look forward — as a way to encourage the multi-use of our trails and getting people to get into downtown Whitehorse without having to bring vehicles down here.

Last spring, I raised some questions with respect to the airport. I am not going to ask a question about the airport act. I am going to ask the minister to explain why, when I asked him last year on May 30 and raised the questions and concerns that we have with respect — not my concerns, but concerns that have been expressed to us — about the sidewalks in front of the airport — from the parking lot to the terminal — cracking and heaving. The minister said that he discussed it with his colleagues in the budget and cracks are fixed as a measure of routine maintenance.

Well, Mr. Chair, the routine maintenance — the fixing — has been to paint the cracks. That does not help somebody in a wheelchair. It doesn't help somebody who is mobility impaired. Can the minister please tell this House what actual mitigation will be done to repair that, to bring them up to standards? The Yukon has obligations under the *UN Convention on the Rights of Persons with Disabilities* and I think that, just like all other conventions, I would expect this government to take that seriously.

Can the minister tell this House, beyond painting the cracks — where now you cannot see the cracks, because of the snow, or you can't see the paint when the snow covers it, but you can certainly feel the bumps, and you could trip on them if you were mobility impaired.

Hon. Mr. Mostyn: I'm more than happy to address this issue. The cracks at the airport sidewalk are a symptom of a problem. The cracks are happening for a reason. We can fill the cracks and they will just crack again. We are actually now looking at this and trying to ascertain why we are getting cracks in our sidewalk. That's a relatively new construction, so we have employed some engineers to actually assess — you can treat a symptom or you can actually fix the problem — and we're getting some engineering work to see why we're getting the cracking, and then we will work to fix that problem.

I understand the frustration, the dangers and some of the impediments that the cracks may pose to those who are mobility impaired.

I certainly don't want that to continue. We're looking at that right now to try to fix the problem and not treat the symptom of the problem. That's the short answer.

Being that it's 5:25 p.m., Mr. Chair, I move that you report progress.

Chair: With the minister's indulgence, I would like to allow one more question.

Ms. Hanson: Highways and Public Works has the responsibility for the maintenance of government buildings. We've asked questions prior about some aspects of that. Can the minister tell this House, with respect to emergency lighting, what testing standards are required for the devices for emergency lights in all Yukon buildings — not just the schools? How often are they tested? He may wish to send this in a legislative return. How often are they tested and to what standards are they tested?

If the minister could report on what qualifications the persons doing the testing have — and this is where it links back to the Auditor General's report earlier this year. Does the department maintain records of tests being done on emergency lighting in all Yukon government buildings?

Hon. Mr. Mostyn: I will endeavour to get an answer back to the member opposite on those several questions that she posed to me this afternoon.

Being that it is now 5:27 p.m., I move that the Chair report progress.

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

Motion agreed to

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

Chair: It has been moved by Ms. McPhee that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

May the House have a report from the Chair of Committee of the Whole?

Chair's report

Mr. Hutton: Mr. Speaker, Committee of the Whole has considered Bill No. 203, entitled *Second Appropriation Act 2017-18*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.