

Whitehorse, Yukon
Wednesday, December 13, 2006 -- 1:00 p.m.

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

In place of our normal prayer, I would ask all members to bow their heads and say a silent prayer for our colleague, Mr. Hardy, who, as we all know, is fighting a hard fight. This is our last day of sitting so we will take a moment, please.

Prayers

DAILY ROUTINE

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

Are there any tributes?

TRIBUTES

In recognition of Judge Heino Lilles

Hon. Ms. Horne: I rise today to pay tribute to recently retired Yukon Territorial Court Judge Heino Lilles. Judge Lilles came to the Yukon to sit on the bench in 1987, after a distinguished career as a football player and later a law professor at Queen's University.

During his 15 years as a Queen's professor, he was involved in work surrounding the *Young Offenders Act* and explaining it to the profession. His connection with Queen's continues to this day, and he is currently a member of the university's board of trustees.

During his time on the bench, he earned a well-deserved reputation as an innovator in the Yukon court system. He devoted much of his career on the bench to restorative justice. Restorative justice repairs the harm the offenders cause by making them take responsibility for their transgressions. It also allows victims an opportunity to be heard.

I had the pleasure of working with Judge Lilles during my time as a community justice of the peace. He was instrumental in establishing the Peacemaker Court in Teslin. It is a diversionary court based on Tlingit traditions. Judge Lilles has been a strong proponent of circle sentencing and has studied restorative justice in New Zealand. He has written many papers on this important approach to criminal justice.

Judge Lilles took a leading role in establishing the Domestic Violence Treatment Option Court, or DVTO Court.

This court is a ground-breaking alternative to mainstream courts in addressing the issue of domestic violence and has served as a model for similar courts across Canada and around the world.

In 2005, a presentation on the DVTO Court was made to the ministers of justice meeting in Whitehorse as an example of best practices that strengthen the criminal justice system's response to spousal abuse. Then federal Minister of Justice Irwin Cotler described the DVTO Court as one of Canada's crown jewels. Judge Lilles was presented with the meritorious service medal, civil division, in 2005 by Governor General Adrienne Clarkson for his work on the DVTO Court. The civil division recognizes individuals who have performed an exceptional

deed or activity that has brought honour to their community or to Canada.

Judge Lilles continued his interest in youth justice while on the bench and was an integral part of the team that prepared for the implementation of the *Youth Criminal Justice Act*. He also served twice as Chief Judge of the Territorial Court and was the President of the Canadian Association of Provincial Court Judges in 2004-05, presiding over a highly successful conference of provincial court judges in Whitehorse in 2004.

I'm sure that many others will join me in saying that it is not only Judge Lilles' professional expertise but his warm and engaging personality that will be sorely missed by the countless people in the justice system who have had the good fortune to work with him over the years. His humility, wisdom and accountability guided many of the innovations that make us proud of our justice system here in the Yukon, as did his ability to treat all who came before him with respect and dignity and compassion.

I wish to congratulate Judge Lilles on his retirement, and on behalf of the entire Yukon to thank him for his outstanding dedication and contribution to the Yukon justice system.

We will sorely miss him.

Thank you.

Applause

Mr. McRobb: It was agreed at this morning's House leaders' meeting that this tribute would be read on behalf of all parties in this Legislature. I would just point out that this was a formality that was missed.

We, too, wish to pay tribute to Judge Lilles. I am sure that members of the third party wish to as well.

Mr. Cardiff: Yes, on behalf of the third party, we would like to send our best wishes and good tidings to Judge Lilles on his retirement. Happy trails to him. I am sure he will do well at whatever he chooses to do in his retirement.

Speaker: Are there any further tributes?
 Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. Horne: Mr. Speaker, I would like the members of this Assembly to join me in acknowledging Judge John Faulkner, who was here to hear the tribute to Heino Lilles, and also Renee Jansen and Tom Ulyyett. Welcome.

Applause

Speaker: Are there any other introductions of visitors?

TABLING RETURNS AND DOCUMENTS

Speaker: Under returns and documents for tabling, the Chair has for tabling the annual report of the Human Rights Commission for the year ending March 31, 2006.

Are there any further returns or documents for tabling?

Hon. Ms. Taylor: Mr. Speaker, I have for tabling the annual report of the Yukon Arts Centre for 2005-06.

I also have for tabling the annual report of the Yukon Advisory Council on Women's Issues for 2005-06.

Hon. Mr. Cathers: I have for tabling the statement of revenue and expenditures, health care and insurance programs, health services branch, Department of Health and Social Services.

Hon. Ms. Horne: I have for tabling the correctional redevelopment strategic plan.

Hon. Mr. Kenyon: I have for tabling today the annual report for the Yukon Liquor Corporation, from April 1, 2005, to March 31, 2006.

Speaker: Are there any further 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 motion?

NOTICES OF MOTION

Hon. Mr. Fentie: I give notice of the following motion:

THAT this House urges the Government of Yukon to work collaboratively with the Government of Canada, the Government of the Northwest Territories, the Porcupine Caribou Management Board, all affected First Nations in Yukon and the Northwest Territories, and stakeholders, to develop a Porcupine caribou herd harvest management strategy that ensures, to the greatest extent possible, the conservation and protection of the Porcupine caribou herd.

Hon. Mr. Cathers: I give notice of the following motion:

THAT the honourable members Hon. Brad Cathers, Hon. Elaine Taylor, Steve Nordick, Don Inverarity and John Edzerza be appointed to the Standing Committee on Appointments to Major Government Boards and Committees, established pursuant to Standing Order 45.

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

THAT this House urges the minister responsible for the Yukon Liquor Corporation to direct the corporation to enforce the *Liquor Act* and regulations in full, in the interests of protecting the safety of the public.

I give notice of the following motion:

THAT this House urges the minister responsible for the Yukon Workers' Compensation Health and Safety Board to take immediate action on the submission entitled "Moving Forward Together", which was developed jointly by stakeholders to address 88 issues identified in the *Workers' Compensation Act* review; and

THAT this House urges the minister to involve all stakeholders in drafting amendments to the *Worker's Compensation Act*.

Speaker: Are there any further notices of motion?
Is there a ministerial statement?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Social assistance rates

Mr. Mitchell: One of the themes the Yukon Party campaigned on was "Re-elect us so there can be continuity." We can avoid the first few months where a new government and new ministers have to get up to speed on issues. Yukoners who believe that line are obviously disappointed two months into the new mandate.

This so-called new government has spent the last 12 days backing away from commitments and pleading for more time to study things that have been studied to death over the last four years. Let's look at social assistance rates, for example. They have not been increased in the Yukon since 1991. We are asking people to get by on as little as \$390 a month for rent and \$159 a month for food. These rates can be increased by the stroke of a pen. It is not something that requires a great deal of study.

Will the Premier dip into the \$85-million surplus to increase social assistance rates?

Hon. Mr. Cathers: I have to remind the leader of the official opposition about the social assistance rates. First of all, by naming only a few of the categories of payments under social assistance, the member is not accurately reflecting the scope of the payments to social assistance clients. There are other components -- for example, the portion of the program that is provided to assist with utilities and heating. Most rents under social assistance are in fact inclusive of shelter and heat and utilities, which brings the total to about \$790, all told, provided for that purpose.

I also must remind members of this House that the director level within the branch has the ability to provide emergency payments if the need exists for the purpose of ensuring that at no time does anyone go without the necessary food, clothing or shelter.

We are reviewing the rates, as we committed, but we are going to do due diligence. Unlike members opposite, we will not simply pull numbers out of the air and make decisions without doing the proper research.

Mr. Mitchell: During the election campaign, the Yukon Party promised to increase social assistance rates. Speaking of the fact that there is emergency funding available requires people to make their case that they need extra funding.

This is something that could have happened the first day or the first week the government took office but it has not. The government is sitting on an \$85-million surplus thanks to massive transfers of money from the Government of Canada, yet there was no money for social assistance increases in the supplementary budget. This is a problem the government knew about long before the election and they had plenty of time to get increases into this fall's supplementary budget. They have failed to do so.

Why does this government need more time to study the issue? Is it not obvious that rates need to go up now?

Hon. Mr. Cathers: There is a lot more to this issue than just the rates, which the leader of the official opposition is failing to recognize. As we committed in the election, we are reviewing social assistance rates with an eye to two areas -- particularly to reduce disincentives and impediments to helping people move away from social assistance and into the labour force. That will include working with others, such as the Department of Education and Yukon College, in assisting with areas such as skills training to help people who may not be able to access the labour force due to a lack of training get the training they need. We are also going to review areas such as the childcare funding that we provide to ensure that people are not prevented from entering the labour force due to the inability to pay for childcare while they take a job.

Again I have to stress to members opposite that we do have the ability right now through social assistance, if rates are not adequate to meet the need, to provide emergency funding. I state and stress again that we are reviewing the rates. We want to ensure that the base funding adequately addresses the need and that there is not, at any time, a regular need to dip into emergency funding, because it is intended for emergency purposes. But the needs are being met and we will ensure that they continue to be met.

Mr. Mitchell: Yukoners had high expectations of this government when the fall sitting began. Surely the fall budget could have contained some new funding for the base rates in order to deliver on promises that were made during the campaign. One of the obvious ones was an increase in social assistance rates. I am sure that the Department of Health and Social Services has the paperwork ready to go. It is simply a matter of the Minister of Health and Social Services being willing to sign off on increases. Will the minister get this done before the Christmas break? Will he do this to help Yukon families at this time of year?

Hon. Mr. Cathers: It is very difficult for me to answer the leader of the official opposition without sounding somewhat condescending in reply.

The member is simply failing to grasp the ramifications that are in here. There are many areas that have to be reviewed. They have been reviewed in the past within the standard context of the programming. Right now, we are doing a more in-depth review. We are committed to ensuring the adequacy of the base rates, and we are also committed to helping people on social assistance move into the labour force. We want to ensure that there are no structural disincentives that make it difficult for them to transition into full-time employment. We believe that most people on social assistance do genuinely want to move into the labour force, unless they are there for some reason such as long-term disability that will require them to be there on a long-term basis. We want to ensure that in either case, their short-term and long-term needs are being met. We are committed to doing so.

We are doing the work but, unlike the members opposite, we don't just pull numbers out of the air and make decisions without the necessary forethought. This is a very important area. We will focus on it in the appropriate manner, and we will do so expeditiously.

Question re: Trap exchange

Mr. Elias: I have a question for the Minister of Environment. In 1997, Canada, Russia and the European Union committed to an agreement on international humane trapping standards. This agreement sets out trap performance requirements for 19 wild animal species that are trapped for various reasons in those countries. Twelve of these species are trapped in Canada and nine in the Yukon.

It is very important to the industry that the Yukon implement the new trapping standards through trapping regulations by October 1, 2007. The European Union, who buys Yukon fur, may not buy Yukon fur if we are not up to the agreed-upon standards. Does the minister have any program that will permit trappers to exchange their existing traps?

Hon. Mr. Fentie: We always, as a government and as a jurisdiction, maintain the standard up to the arrangements that we reach nationally or even internationally.

This is an important area for Yukon considering the long history of trapping in the territory and the cultural connections to this particular industry. The department works very closely with the association, First Nations and others, and of course the department will be ensuring that we live up to the standards that we are setting. Whether that be an exchange of traps or by other means, we will continue to promote and support Yukon's trapping industry.

Mr. Elias: The fur trade in Canada contributes approximately \$800 million to the Canadian gross domestic product; nearly \$300 million comes from fur garment sales, \$25 million from wild-fur sales, \$78 million from ranch-fur sales and the balance comes from supporting industries. In fact it is recognized that on the same area of land over a 100-year time period the value of fur production is higher than the forestry value. In the Yukon it is worth over \$1 million per year.

I am a trapper myself and I know that many trappers are out there on the land right now as we speak. They are aware of the impending regulation change and are in their trapping cabins or tents listening to their short-wave radios, working with their fur and wondering if their public government will minimize the effect this regulation will have on their industry and their lifestyles.

In light of the importance of this industry to the Yukon, will the minister commit to supporting our trappers and fund the required trap exchange?

Hon. Mr. Fentie: As I said in my first response, that may be an option and, of course, we will not limit it to that option. I'm sure there are many other ways to assist the trapping industry. I want the member opposite and the trapping industry to know that it's no small wonder why we have earmarked the trapping industry as a strategic industry for Yukon. I think that clearly demonstrates the priority this government places on the trapping industry today and long into the future.

Question re: Education reform

Mr. Cardiff: I also have a question for the Premier. Until a day or two ago, people who wanted to get information about the education reform project and the process were advised to contact the education reform team directly. Apparently that has now changed. Now they are told they have to go

through the Cabinet communication gurus who work for the Premier.

Why is the Premier's office now the choke point for information about the education reform process?

Hon. Mr. Rouble: Education reform is one of the items we campaigned on and one we made a strong commitment to. It's important that we reform our education system in order to best meet the needs of all Yukoners. This morning I, with the chair of the Yukon Chiefs Committee on Education, held a press conference with all media in attendance in order to update Yukoners on where the project is.

We wanted to provide the information right from the top of the process. Between the partners involved and the partners giving direction, the press conference was given and we provided additional information to Yukoners on where the process is at.

Mr. Cardiff: Well, the Premier doesn't want to answer the question, even though he is controlling the process.

The Minister of Education just told us that he held a news conference. It was only a couple of hours ago. As I understand it, this was the basic message: the process is behind schedule and it may even be off the rails. The government is desperately trying to squeeze the genie back into the bottle because the Premier's people don't like some of the ideas that are being floated in these papers. At a recent meeting of school councils that I attended, a key member of the education reform team stated very clearly that the hold-up involves three position papers that were presented to the minister several months ago. The most contentious paper seems to be a paper concerning governance.

Will the Premier tell us why he and his advisors aren't willing to consider the shared governance proposals that are contained in those position papers?

Hon. Mr. Rouble: I can't state the importance of this project enough to the member opposite. Education reform is a key project for this government. It is at the top of my desk.

I have met with the education reform group. The chair of the Chiefs Committee on Education and I were involved with the media this morning. We put before them exactly where we are at on this project. We are finalizing the pre-consultative plan. We are getting the consultative package ready to go out to the community so we can provide an opportunity to engage Yukoners and so they can provide their feedback and information, which is incredibly important to this process.

We have also said that we expect this to conclude by the fall of 2007. We want to get on with the action of implementing these reforms. We want to bring this very important process to a timely closure and address the needs of Yukon communities.

Mr. Cardiff: Well, I am sure the Premier is happy that the minister is working on this issue. It sounds to me that they are not willing to give the public the information now, because they have to vet it first.

Surely it is time to move beyond that kind of paternalism that has caused so much harm to the education system for many, many decades now. Isn't that what self-government agreements are about?

The previous Liberal government messed up the *Education Act* review by making it political. It seems that the Premier and the minister haven't learned the lessons of history very well. According to today's news conference, the process is now shifting, as the minister said, from pre-consultation to full consultation, after Cabinet vets the information. As part of that consultation, will the Premier at least allow Yukon people to see the position paper on governance as it currently exists and let them draw their own conclusions about its merits?

Hon. Mr. Fentie: This is an interesting question, when you consider the countless times that the members opposite berate the government side for not consulting. When the minister responsible for this process is now taking the next step that we are obligated to take -- that is capital "C" consultation for educational reform -- the members have a problem with that also.

I want to quickly move to the issue of governance. If the third party's position with respect to the issue of governance is devolving public jurisdictions or diluting public jurisdiction, that is their position, not the government's position. Our position on governance on all of the discussion papers is to go to the public with them. Our view, when it comes to governance, is to ensure that communities, citizens and parents in those communities are more involved in the decisions in our education system. That is a fundamental element of educational reform. The only thing off track here is the information pipeline to the third party.

Question re: Education reform

Mr. Cardiff: I have a follow-up question for the Premier, seeing as he is on his feet.

The Yukon's *Education Act* was created in 1990 and was considered throughout Canada a model piece of legislation, and it is called "partners in education" for a reason. The government of that day truly believed in the principle of partnership as a foundation of that act. I notice that the Premier just handed the ball back to the minister yet, under the current government, it is obvious that some partners are more equal than others.

Will the Premier tell us why he and his colleagues are opposed to the idea of sharing governance in education?

Hon. Mr. Rouble: Mr. Speaker, as Minister of Education I am extremely proud of our relationship with our partners in education. We held a joint conference -- a press conference -- this morning with the chair of the Chiefs Committee on Education. We are committed to making the changes necessary to the education system in order to provide the best education system possible for all Yukoners.

We are committed to working with our partners in education and the stakeholders. Those include First Nations; those include the teachers association; those include the school councils; those include the school committees; those include the French language school board.

We are going out to do the consultation and give Yukoners an opportunity to provide their input into this incredibly important process.

Mr. Cardiff: All of the foot dragging on this whole process of modernizing our education system is astounding. The government wants to vet the information that is provided

to the public on the consultation. Kids who weren't even born when the *Education Act* was created are now in their senior years of high school. In the same time period, the majority of Yukon First Nations have been able to finalize their land claims and self-government agreements with the federal and territorial governments. Yet the Yukon government can't even complete a mandatory 10-year review of this one piece of legislation.

What is the Premier's fall-back position if and when the education reform process falls apart once and for all, because that is exactly what seems to be happening?

Hon. Mr. Rouble: What is the third party's position on this? Is it their position that the act is broken and needs to be fixed, or is it that there are good opportunities for involvement in the act?

We have a very good *Education Act* that allows for public input with school committees, school councils and school boards. We have opportunities for involvement with our other partners, involving curriculum committees and programming committees. With the First Nation programs and partnership unit, we have additional opportunities to work with our partners in education to ensure we have the best system possible.

We've given direction to the education reform team to conclude this process, this part of education reform, by the fall of 2007 so that, if necessary, we can make the legislative changes to the *Education Act* in order to serve the needs of all Yukoners.

Mr. Cardiff: There are lots of opportunities to participate and have input if you let them do it and give them all the information -- not the information you vet. I'm going to be blunt with the Premier: First Nations have the legal right to take control of their children's education. The Government of Yukon signed the agreements that make that the law. Not only can they draw down that authority, but several of them have announced they intend to do so because they're fed up with trying to deal with this government.

What we're witnessing is not just a dispute over educational philosophy; it's the first real test of self-government agreements. The bottom line is this: this government is failing the test by acting as if self-government agreements don't mean what they say.

Will the Premier make a commitment right now to honour the letter and the spirit of those agreements by treating self-governing First Nations as equal partners in education, not as junior partners who need to be kept in line?

Hon. Mr. Fentie: That's a very interesting conclusion that the third party has drawn on the education reform process. I would challenge the member opposite: when the *Education Act* review was created, were there co-chairs with First Nations in leading the process?

The member opposite asserts that the government is vetting things. Again, that is not the case, Mr. Speaker. What is going on here is the principals -- the minister responsible for the department and his colleague in this process, who is the dedicated person for the Yukon First Nations -- are the lead in the process. That is the partnership. It is called government to government.

With respect to the self-government agreements, we will live up to our obligations. If a formal request is made, Canada, Yukon and the requesting First Nation will have to sit down and negotiate a PSTA, or program service transfer. That is our obligation. Education reform is about the public system. Reforms in the public system are not just for First Nations but for all Yukoners. It is to ensure that our education system meets Yukoners' needs today and in the future.

Question re: Addictions counselling

Mr. Fairclough: I have a question for the Minister of Education. In keeping with the government's goal of zero tolerance for drugs in the Yukon, I would think that there would be a significant educational component to that in our public schools. Can the minister tell the House about any new initiatives that have been or soon will be implemented in our schools in keeping with that initiative?

Hon. Mr. Rouble: Our government is firmly committed to the substance abuse action plan. Not only does it involve the Department of Education, it includes Justice, Health and Social Services and virtually every department in our government.

There are numerous programs in our educational system -- the DARE program, the PARTY program, and other aspects of different curricula from virtually grade 1 through to grade 12 that deal with prevention of substance abuse.

Mr. Fairclough: I hear nothing new. I'm especially concerned with the counselling component. As young people face an often formidable force of peer pressure, they need someone to turn to and often students become users and need help dealing with addictions. They need someone knowledgeable, trustworthy and accessible. Few of our Yukon schools have that type of resource at their disposal.

I would like to ask the minister if he could tell us what the status of alcohol and drug counselling that is available to our students is currently. He listed one, so far.

Hon. Mr. Rouble: One of the recent initiatives that the Yukon government is working on now is a partnership with the Porter Creek Secondary School Council.

The school council came forward with an idea for an innovative project in their school, one that received attention in debate in our Assembly. That was the issue of having a dog-in-the-school program. The government has funded that program and we are working with our partner in education, the Porter Creek Secondary School Council, and that is going to put someone in the school who is knowledgeable, trustworthy and accessible.

Mr. Fairclough: Some jurisdictions have a number of highly trained drug and alcohol counsellors. The Yukon has none. These men and women have trained specifically in the areas of substance abuse in young people. They travel on a circuit, visiting one or two schools every day on a five-day cycle. These programs have been quite successful and, in fact, if they save one child from the grip of addiction, then I feel it's money well spent. I'm talking about counselling in the schools with trained professionals.

Will the minister give the House his undertaking to look into such a program and report back to this House during the spring sitting -- will he do that?

Hon. Mr. Rouble: Yes. It sounds like an interesting idea, one that's worthy of looking into. Prevention is one of the key elements in the substance abuse action plan. Taking a look at what we can do in our schools to prevent this is an important initiative.

I'm not going to make this decision here on the floor; in fact, I'm not going to make it just with my Cabinet colleagues. I'm going to make it with the involvement of the community, with the school councils and with our other partners in education.

We'll take a look at the member's idea and see if there's merit in it.

Question re: Government commitments

Mr. Mitchell: As Yukoners reflect back on the 12 days of Christmas that was this legislative session, many of them are disappointed in the performance of government. Expectations were quite high when this Chamber reconvened on November 23. The Yukon Party campaigned on a theme of continuity, declaring that things would get done quickly, because there would be no need to break in a new government. That was supposed to mean quick action on several items that have been discussed for many months, like an increase to social assistance rates and a cash infusion to our childcare system. It should have meant quick action on funding to start the building of a new correctional facility and real progress on multi-level care facilities in Watson Lake and Dawson.

Why is this government not capable of following through on these commitments, things they promised to do without delay?

Hon. Mr. Cathers: We are moving forward on these things. The member doesn't want to hear the answers that we are providing. Work is ongoing on this. Social assistance rates are being reviewed. The ability exists currently through emergency provisions to address anything outside of the base funding if the base funding is in any way, shape or form inadequate. It is being dealt with.

With aspects such as childcare, again it was clear during the election campaign that we and the NDP had very much the same approach in dealing with this problem. Due diligence has to be done first. In our last term, we gave an unprecedented 40-percent increase through a direct operating grant but we stated then and reiterated in the campaign that it would require two terms to deal with this because of inaction by previous Liberal and NDP governments, which did nothing to address this problem.

With regard to multi-level care facilities, again, we are moving forward on these. Currently in Watson Lake, the project there -- planning underway in Dawson City. The work is being done. It will be completed. It will be completed as expeditiously as possible, but we are going to do it right.

Mr. Mitchell: Mr. Speaker, the Yukon Party said, "Re-elect us so there will be no delays and no time lost while new ministers find their offices." Yet the most common answer we have heard from ministers -- and we just heard it again -- is

that this is under review and that is being studied. These are the standard answers for the new jail, education reform, the climate change action plan, Hamilton Boulevard, a new school in Copper Ridge, new residential lots, land use planning, the future of the electrical rates stabilization fund, and legislative reform. The list goes on and on. Yukoners expected much more from this government. When is this government going to quit navel-gazing and implement some of the promises that they made to voters?

Hon. Mr. Fentie: First, Mr. Speaker, the aforementioned list of items is not what Yukoners said at all -- it's what the member opposite said. Yukoners said they wanted stability; they wanted continuity and they wanted progress on the vision and the plan that the Yukon Party government had laid out from 2002 until the recent election of October 10. Guess what, Mr. Speaker, they re-elected a Yukon Party government -- case closed.

Mr. Mitchell: Mr. Speaker, this session has been like most sessions under the Yukon Party government: empty of legislation. After four years in office the government has failed to move on any major legislative commitment beyond the drawing boards.

The *Yukon Workers' Compensation Act* is not done; the *Children's Act* is not done; new animal protection legislation is incomplete; the new *Access to Information and Protection of Privacy Act* is incomplete; the new *Liquor Act* is nowhere to be seen; whistle-blower legislation continues to flounder under this government.

Again, Yukoners believed the Yukon Party line that things would get done without delay. This clearly is not the case when it comes to legislation. It is a sure bet that we will not see any of these pieces of legislation until at least a year from now -- so much for action right out of the gate. The horse is staggering around in circles.

Why has the Premier failed to deliver on any of these long-promised legislative initiatives?

Hon. Mr. Fentie: Well, Merry Christmas to the leader of the official opposition also, and genuinely from the government side.

I am astounded at the member's assertions here, Mr. Speaker, so I will quickly move to an answer. To his suggestion that this sitting has not been productive in legislation, I ask the members opposite: what do income tax breaks for all Yukoners say to the member? What do corporate tax breaks say to the member when our business community will have more disposable income to invest into and stimulate our private sector growth? What does the member say to \$32 million of affordable housing? What does the member say about getting tough on crime by enhancing our enforcement capacity through SCAN and, indeed, the recent announcement by the Minister of Justice of an eight-member street crime unit for the first time in this territory's history? What does the member say about the long list of projects investing in training and capacity building for all Yukoners through the northern strategy?

I think that the stumbling horse is the official opposition.

Speaker: The time for Question Period has mercifully elapsed and we will proceed with Orders of the Day.

ORDERS OF THE DAY

Hon. Mr. Cathers: 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: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 3, *Second Appropriation Act, 2006-07*, Vote 3, Department of Education.

Do members wish to take a brief recess before we begin?

Some Hon. Members: Agreed.

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

Recess

Chair: I will now call Committee of the Whole to order.

Bill No. 3 -- *Second Appropriation Act, 2006-07* -- continued

Chair: The matter before the Committee is Bill No. 3, *Second Appropriation Act, 2006-07*. We are on Vote 3, Department of Education.

Department of Education

Hon. Mr. Rouble: Mr. Chair, it is my honour and pleasure to rise today as Minister of Education to speak to the supplementary budget. I would just like to begin by saying that I am honoured to be here. I would like to thank my constituents in the beautiful Southern Lakes for once again voicing their confidence in me and electing me to represent them. Also I would like to thank our Premier, who had the faith and confidence in me to put me in this position. I will do my best to live up to the faith that he and my constituents have in me.

In my brief tenure as Minister of Education, I have been very encouraged by the dedication, commitment and involvement of the people I have met from the staff of the Department of Education, the teachers in our schools and the other professionals involved in providing education to Yukoners. I have been very impressed by their commitment and their professionalism.

Also, Mr. Chair, I have been very encouraged and am very optimistic after meeting with many of the stakeholders -- from the Chiefs Committee on Education to meeting with the Association of School Councils, to a group of school administrators. All have really encouraged me with their energy, their enthusiasm and their interest in education.

Education has been a long-time passion of mine. As I have discussed in this Assembly before, my mother was a teacher, other relatives of mine have been teachers and I, indeed, have been involved in the teaching profession. I am very optimistic and very encouraged about this new role before me and I pledge to do my best to ensure that we have the best education system to meet all the needs of Yukoners and Yukon communities.

With that, Mr. Chair, it gives me great pleasure to introduce the 2006-07 supplementary budget for the Department of Education.

I did miss one group, Mr. Chair, and that is the department staff. I have a couple of officials with me today. Their efforts and energy in getting me up to speed on many of these issues is greatly appreciated, and I thank them very much for their hard work and their enthusiasm and their energy in helping me to learn all the information they have shared with me so far.

This government worked very hard for Yukoners during the last mandate in order to fulfill our commitments to education and lifelong learning. We plan on continuing that good work during the next five years. I believe the supplementary budget continues to build on the government's good work in developing and delivering a quality education system.

Yukon's population is diverse and so our budgets and supplementary budgets need to reflect that diversity. Because we are committed to developing meaningful relationships with First Nations, how we operate our education system must reflect this commitment. By working together, I believe the education system, from kindergarten to post-secondary, can continue to evolve and meet the needs of all Yukoners.

The Department of Education is committed to being responsive to the needs of students and of Yukon communities. Our operation and maintenance supplementary budget for Education in 2006-07 is almost \$2.9 million. This overall increase for the Department of Education is made up of the following: \$168,000 is recommended to revote in order to complete the education reform project. The project, which is well underway, experienced some start-up delays while recruiting committee members.

This government and other governments are committed to providing the best possible education system for all Yukoners, including First Nation people, and that's why we will continue our commitment to education reform. Working in partnership with CYFN, the Department of Education launched the education reform process of Yukon's education system last summer. This was an important step in increasing First Nation students' success and the capacity of First Nation communities for generations to come.

\$771,000 is requested to fill the Department of Education's new collective agreement with the Yukon Teachers Association. This agreement was signed in June 2006 for a three-year period from July 1, 2006, to June 30, 2009. These funds are for salary increases of \$753,000 from July 1, 2006, to March 31, 2007, and \$18,000 for the cost of first aid courses.

The 2007-08 funding will be included in the Department of Education's 2007-08 O&M budget.

The Department of Education believes that our teachers are one of the foundational pillars that support education in the territory. That is why we are committed to working with the Yukon Teachers Association to ensure that the collective agreement meets the needs of its members.

As I mentioned earlier today in Question Period, the canines for safer schools program, which represents a new initiative that the Porter Creek Secondary School Council and the Department of Education is looking into as part of the Yukon substance abuse action plan. We are asking that \$79,000 be allocated from the Executive Council Office's Yukon substance abuse action plan to explore this pilot project. This is a very innovative project. It was debated in our Assembly. I believe we all supported that it be explored and there was unanimous support for it. It is a very interesting project and one that will provide a professional in the school. Part of that role will be as a resource and it is important to have someone in the school that people can turn to and have an open dialogue with regarding drug and substance abuse issues.

It is through initiatives like these and working with our school councils, our staff, students and parents as well as other government departments such as Health and Social Services, Justice, Community Services, and the Youth Directorate that we are working to make it easier for young people to make more positive, drug-free choices in their lives.

I am also pleased to announce that through negotiations with the Council of Ministers of Education, Canada -- CMEC - - and the federal Ministry of Canadian Heritage, the Yukon government has secured funding to expand late French immersion to grade 8. This is an important step in increasing French language programming available to Yukoners and it will enhance our existing late French immersion program at École Whitehorse Elementary School. With late French immersion expanding to grade 8 at F.H. Collins, students who begin their studies at the elementary level can now transition seamlessly into secondary French language education.

In terms of advanced education spending allocations for this year's supplementary operation and maintenance budget, the Department of Education is asking for approximately \$1.7 million. Of these funds, approximately \$1.2 million is requested to cover the Yukon College pension shortfall, which was identified this past spring. The latest actuarial report is expected to reduce this amount for future years. The solvency deficit payment of \$645,000 is expected to be paid over 10 years.

The Department of Education is supporting Yukon College on this matter because we believe they provide exceptional post-secondary education and training to Yukoners throughout the territory. Yukon College reaches into the communities to help people get the training they need to access local economic opportunities. Whether it's apprenticeship training, university transfer courses or basic adult literacy skills, Yukon College is good at doing what it does and we want to support that work.

I have had an opportunity to meet with the Yukon College Board of Governors and have some introductory discussions with them, and I look forward to working with them in the fu-

ture to ensure that they play a very important role in Yukon's educational responsibilities.

Mr. Chair, as a result of negotiations with the Canadian government, we are pleased to announce that the Department of Education can provide even more funding for apprenticeship training in the territory. \$200,000 in additional funding, all of which is 100-percent recoverable, has been approved by Service Canada for costs incurred in providing training to apprentices and employment insurance clients. We are all aware of the skilled trades shortage, and the situation has the potential for becoming more extreme as the existing skilled workforce approaches retirement.

Mr. Chair, there are currently 327 people enrolled in the Yukon's apprenticeship programs, which are administered by the Department of Education. This is an 11.6-percent increase from the 293 people who were enrolled this time last year, and it's 30 percent higher than just a few years ago. Mr. Chair, the Yukon government and federal government support is key to helping avert a skilled trades shortage.

The Department of Education is asking that \$77,000 be re-allocated from the Executive Council Office's Yukon substance abuse action plan fund to provide funding for a one-year Journey Far carver program. This Journey Far carver program will play a very important role in identifying and providing support to Yukon people who wish to kick the drug and alcohol habit and have the basic skills and a real desire to develop their carving repertoire. The program will be operated by Sundog Retreat at their Mayo Road location. It will provide business planning, marketing and life-skills training for selected carvers. Mr. Chair, there is currently an exhibit going on at the Qwanlin Mall right now with the Journey Far carver program. If members haven't had the opportunity to go in and visit it, I would certainly encourage them to do so. It's an excellent example of a good program that not only has the great goal of helping to reduce substance abuse but it also does so in a very culturally sensitive manner.

Under the capital budget in 2006-07, this government recommended the allocation of funds to support several large-scale projects, which we began during our mandate. This supplementary budget further supports some of these large-scale capital projects, but we're also concerned with providing for smaller improvements and equipment for schools.

The capital portion of the supplementary budget for 2006-07 is \$4.8 million and includes a lot of exciting projects. This includes a revote of \$1.3 million requested by the Department of Education to complete construction of the new school in Carmacks. We are requesting this revote because the building project did not proceed as quickly as anticipated and is now expected to be completed early in the new year. I feel very confident the new school will suit everyone's needs and education aspirations. Of the total building cost, \$60,000 is cost recoverable under the federal government's Canadian building incentive program for energy efficient design.

In the communities, the Department of Education is requesting \$360,000 for repairs to the Ross River school foundation renovations. This project was originally intended to upgrade the insulation on the perimeter crawlspace walls and con-

struct a roof canopy at the main entrance. Further investigation recommends that additional thermosyphon loops be installed around the perimeter of the school.

At Chief Zzeh Gittlit School in Old Crow, we plan to complete the installation of a storage garage; at the Robert Service School in Dawson, we need to complete the installation of playground equipment. For these two projects we are requesting a revote of \$41,000.

At Del Van Gorder School, we need to redirect \$440,000 to cover the cost of repairing the school roof when it leaked in March 2006. This project was completed over the summer. Funds for this project and the Ross River school foundation repairs were redirected from the Vanier Catholic Secondary School ground-source heat pump project. The Vanier project is now on hold due to the fact this project is not as feasible as was previously thought. The estimated cost of the project has increased from \$400,000 to over \$1.1 million. We are asking for a revote of \$10,000 to cover the cost of designing the Vanier Catholic Secondary School project.

A revote of \$1.3 million is required to complete the cafeteria expansion and renovations at the Porter Creek Secondary School. This new space, which was completed at the end of August 2006, provides the school with much-needed space and instructional areas. Also for Porter Creek Secondary School, there is a revote of \$33,000 required to complete the emergency lighting project, which was delayed due to construction and renovation work in the cafeteria.

Further revotes are required to cover the costs of smaller school-based projects in Whitehorse and the communities. There is \$113,000 requested as a revote so that a number of schools can complete their school-based projects. These projects include things like playground upgrades, renovations to administration areas, the purchase of bookcases and special supplies for school projects. \$84,000 is required to complete the design of the F.H. Collins industrial arts wing, Golden Horn Elementary School's ventilation upgrade and Vanier Catholic Secondary School's computer lab ventilation system.

\$133,000 is required to complete a number of smaller projects that begin in 2005-06. These projects include the design and installation of bleacher replacements at Porter Creek Secondary, completion of a boiler replacement at the Teslin school and minor projects in various schools.

As part of what we budget for under instructional programs at the Department of Education, we are asking for a \$30,000 revote for all schools to complete projects initiated by school councils and staff not completed by fiscal year-end, which differs from the end of the school year. These projects include such things as purchasing much-needed equipment for school programs. There is a \$21,000 revote for the purchase of locally manufactured furniture for Porter Creek Secondary School and a \$159,000 to complete the purchase of school buses.

Mr. Chair, in terms of advanced education and its needs under this year's supplementary budget, we are asking for a number of revotes: \$376,000 to accommodate an accounting adjustment for Yukon College's school of visual arts and we are asking for a revote of \$20,000 to complete community

training fund agreements that were signed in the fiscal year; \$5,000 is requested as a revote and an additional \$146,000 was received from Service Canada to complete the development of a Web-based students financial assistance program. This new system will make it easier and more efficient for students to access financial assistance for their post-secondary education and training. The Government of Yukon will recover \$146,000 spent in development of this Web-based service from the federal government. A revote of \$200,000 is requested to accommodate an accounting to the Canada-Yukon health internship program.

Mr. Chair, in closing I would like to say that the supplementary budget I have presented here today represents a lot of hard work from the staff, the Department of Education and my Cabinet colleagues. Our spending is reflective of the programs, services and capital projects that are of great importance to Yukoners. I look forward to the next year's budget for the Department of Education and the work leading up to it where we can further refine our commitment to providing excellent education for all Yukoners.

Mr. Fairclough: We do have a lot of questions in the Department of Education, but due to time restraints we are going to have to cut back on questions. I want to assure the minister that, come the spring sitting, we definitely will be bringing forth those questions.

I would like to focus on a couple of parts. I thought normally in the spring we do have revotes versus in the fall where we can show the money that wasn't spent on the project would be revoted in the spring budget, and I am surprised that a lot of the numbers the minister rattled off here are revotes, but I'll take his word on it.

I do have some questions in regard to one particular project that has been an interest of mine, probably since the day I was elected in 1996, and that is the Tantalus School. I think it is no surprise to the member opposite. That project was put on the capital project list by the chairs of the school councils. So I just want to ensure that the minister understands that, because it wasn't a project that was dreamed up by the Yukon Party.

Mr. Chair, we have debated this project here for a number of years now. I believe we're into our second year of construction of the school. We've run into many problems and I can see some lawsuits and so on coming out of this by some of the contractors and subcontractors. So this is a fairly big issue for the community. The price of this school has gone up dramatically from when we first began. I believe it was up near \$9 million. It was close to the same price as the school that was built in Old Crow. As the minister knows, a winter road was put in and the school was built eight feet off the ground. A lot of money went into it.

The Carmacks school cost has risen dramatically. I think we're up to \$12 million and growing, and we don't have a completed school yet. We're into the second year of construction. I notice that at this time last year the contractors had to take a break from construction because of the cold weather and they came back and continued work in January.

First of all, I guess, with numbers, if we're going to talk a lot about numbers, there is an increase here, and the minister

calls it a revote of \$1.3 million. He also says that it is to complete the construction of the school. Then I would have to ask this question then. I assume that a lot of work will take place from now until the end of the fiscal year. Can we expect this school to be completed and students moving in before the end of this fiscal year?

Hon. Mr. Rouble: I look forward to the debate in the spring, too, when we will have the time to properly examine and go through the Department of Education. I will be particularly looking forward to our discussion in general debate when we discuss the role of education, the desired outcomes and some of the objectives that members see. I will also be interested to see where we disagree about what we agree are some of the important things to include in our educational system, and other areas where members have a difference of opinions.

I think that it will be very important to have that discussion at the high level about the mission, vision and objectives, so that we can find what kind of common ground we are on, where we do share agreement and also find the areas where we do have a difference of opinion.

The Member for Mayo-Tatchun went on about the amount of revotes in here. I am working with the departmental administration and our Finance officials. On their recommendations, this is the best way to address that. I am not going to question that right now, Mr. Chair. We have had some professionals take a look at this, and they made their recommendations and we are going to follow them. That certainly isn't to say we won't question things in the future. I am sure we will have some very good discussions about financial allocations and how the Department of Education administers its financial situations.

The Member for Mayo-Tatchun brought up the school in Carmacks. To that, I can say that the territorial government is committed to constructing the school in Carmacks, to working with the community to identify what its priorities were and are and what they will continue to be, and to ensuring that we have the best possible learning facility in the community.

I'm not a construction engineer; I'm not a site superintendent; I'm not the site supervisor; but I understand there were some problems with the construction and there were some delays, and these happened around such issues as the soil in the area, cold weather and material delays. As the previous Minister of Education is reminding me, that might be part of my job; I'll take responsibility for giving broad overall directions and setting departmental priorities, but I certainly hope the members opposite won't hold me accountable for why a roll of roofing tar was late in getting to the job site. If they are, we might be in for a longer debate than we anticipated.

Every effort is being made to complete the school on time and in the best possible manner. We want to have a facility that meets the needs of the community; we're working with members in the community to get the building constructed. As I said, I'm not a construction engineer. The department is doing its best job on this, and we're all very eager and optimistic about getting into the school as soon as possible.

Mr. Fairclough: The minister didn't answer the question, and it was a very simple one. In his remarks and the Pre-

mier's remarks, they said the school will be completed; that's why the money is here to be spent in this fiscal year -- in other words, the school will be completed before March 31, 2007. That's what I asked the minister: will the construction of the school be completed by that time and will the students be moving in?

Hon. Mr. Rouble: We anticipate that the construction of the school will be completed very early in the new year.

Mr. Fairclough: I thank the minister for that. I have to tell the minister, though, that the last time I went to Carmacks, the school still did not have a roof. What is happening with that and is this going to delay the construction of the school?

Hon. Mr. Rouble: As I stated in my answer earlier, the department is working very diligently with the Property Management Agency and the other government departments involved and with the contractors doing the work. Everyone is eager to conclude the project as quickly as possible. There have been delays in the past. I don't have a time machine to go forward to look into the future and see if there will be additional weather or other material delays or other construction projects. I wish I had one. Unfortunately the reality is that everyone is working on this project. They are doing their best. We anticipate that it will be completed very early in the new year.

Mr. Fairclough: That is not very far away for a school not even having a roof yet. Perhaps the minister should pay some attention to this project. Both the Premier and minister have said that it would be completed by the end of this fiscal year, I would assume.

From talking to one contractor, who has the contract to paint the school, normally on a project of this size it takes about nine months from start to finish and they haven't even begun. That is not the early new year; it's more like early in the fall. It may even be a challenge to have students in the new school next fall. That's a long delay from the beginning of the construction of this school. I would caution the minister on that. I hope the minister looks into this matter because it is very serious. There is a section of this school that still has no roof.

It's pretty important to ensure that it is closed in so that we can have people working on the inside and have less cost in regard to energy and so on.

I would like to ask the minister, though -- I didn't hear him say what the final cost of the school will be. Will the minister let us know?

Hon. Mr. Rouble: Mr. Chair, as I understand it, in order to meet some of the unique design requirements of the school, the community had a big hand in the design of it. Some special trusses were required, and that is where the delays were -- getting some of those roofing trusses in. I appreciate the Member for Mayo-Tatchun's comments on it. He seems very well aware of some of the challenges in construction, and I appreciate that. As I have been doing, I will look into this further. The best advice -- the advice we get from the contractors who are on the ground and the partners in construction -- is that the building will be completely constructed early in the new year.

I think we are all aware in here of the challenges that could come up between now and then. I hope they don't, but they

might. We are committed to building a school that meets the needs in the community and building a facility that will have a very long and useful lifespan.

The total amount to be spent on the school is expected to be \$11.9 million.

Mr. Fairclough: That is a lot higher than the government originally thought it would be spending on this school. Is this a reflection of the Yukon Party's good fiscal management or is it unforeseen cost? Maybe the minister can give us a breakdown on that, if not now, then by legislative return. I know that there were additional costs, for example, for the removal and replacement of soil, and that was an addition to a contract to the local people.

Also by legislative return, if the minister could give us a breakdown of the workers who are local -- I'm interested to see how many we have. As it stands right now, I believe we have one First Nation person working on this project. You would think with government-to-government, full partners in education and full partners in economic development that we would have more First Nation people working on this major project that is supposed to benefit the school. If he can do that by legislative return, if possible, I would appreciate it.

Here's another one that was really important to the community. They voiced themselves loud and clear on this. It has to do with the extra space in the school. The Premier said during the campaign and afterwards that the extra space will be filled with a daycare. Is that still the position of the department or have things changed? Has anyone informed the Premier?

Hon. Mr. Rouble: The construction of the Carmacks school is a direct, tangible result of the Yukon Party's commitment to education. It's a direct, tangible result of the Yukon Party government's commitment to working with the community, to include the community in designing a facility that best meets their needs.

The Carmacks school is a great example of the government listening and working with a community to best address their needs. It's a great example of a government making a major investment in a community. We're investing over \$11 million in this community and this school. That clearly demonstrates our commitment to the community and to education.

I'm curious, Mr. Chair: would the member rather that we spent \$3 million on the school? I'm having a really hard time defending making such a substantial investment in a community.

Yes, there were construction problems. There were construction delays and there were problems with the soils. There were challenges with the roof trusses. There were challenges with weather and there are challenges in the North American market now to get construction materials that fall within the budgeted figure. That is one of the realities we have to face. The price of a 2-by-4 has gone up. But we are clearly committed to working with the community and we are clearly committed to their long-term educational needs.

Yes, the school was constructed with some additional space, which I think would be welcome in any community -- additional space to look after additional uses. I understand the school principal, the school council, the First Nation and other

community members will be meeting in the next week or so to discuss ideas and options about how to best use that space. The community will be making a decision as to how to use the additional space. Could that be a daycare? Yes, that is one of the options. But one of our commitments is to work with Yukon communities, to work with parents, to work with school council and work with First Nations and have local involvement in the decision making.

We are working with the community. I understand that is one of the options they are looking at.

Mr. Fairclough: It was very clear what the Premier said. That's what I'm asking the minister about. The Premier said there will be a daycare in this extra space. Look at the media transcripts, if the minister doesn't believe me. It's there. It's a commitment made by the Premier.

Now, are we going back and saying we are going to be talking to the community -- as the department should be -- to basically identify what is going into this space? Is that what the minister is saying? If so, I guess he is admitting that the Premier was wrong.

Hon. Mr. Rouble: Mr. Chair, I wonder if the Member for Mayo-Tatchun could be clear in what his desired outcome here is. Mr. Chair, I just said it and I'll say it again: we want to work with the community. We want to work with the school administration, the school council, the parents, the First Nation and affected organizations in the community to make a decision about that space that will best serve the needs of the community. Does the Member for Mayo-Tatchun want the Department of Education to continue doing that, or does he want the Department of Education to do something else?

Mr. Fairclough: Well, what I want is for the Yukon Party not to announce something before it's decided on by the community. Is that clear to the minister? The Premier did that. Does the minister not know that? He did it. Pre-election and after the election, that announcement was made. That's the concern that I have. I want the minister to commit to what he said right now, to go and work with the communities. That's all I'm saying. The Minister of Education needs to talk with the Premier, because there seems to be no communication there, because the community wants to be able to have input into this extra space. I just wanted to be put on record that it's recognized by the community. It was talked about in the election, and it is certainly an issue. The member opposite asks what is our position, what is our desire? Well, our desire is to have this project as a major community project that will bring the community together, not split it apart like the Yukon Party did all through this project. I could tell the minister, if he says anything other than that, he's wrong, because that's exactly what happened. It's a tremendous effort on the part of the community to try to make this project work the best it can. So I don't know if the minister has much to say on this, but our desired outcome is to ensure government spends what it says it's going to spend and give very clear explanations why these projects go way over what was originally earmarked for the projects.

That is an issue. I hope the minister takes some of these concerns that we have raised very seriously and communicates them well to the Premier.

I have another issue the community raised during the election campaign. It is one that the community did not want, but I would like the minister to look into it. The community wanted to get rid of the old Tantalus School completely. The new section of the old school is close to 20 years old, but I believe it does have a 15- to 20-year lifespan left. One of the interests raised by community members was to have -- the minister is passing notes, and I want to be clear on this so the minister can say yes or no -- an engineer from the Department of Education have a look at the possibility of preserving the old gym on the old school, which right now would be adjacent to the new school, and maybe convert it into a swimming pool. I know there are lots of problems with piping and so on, but someone asked me about it and I said that I would bring it up and ask the department to at least have an engineer look at this. The building itself, I believe, is worth millions of dollars. There might be some interest to work with the village council, which knows about this issue, to see if something additional can be done to add something positive to the school.

Hon. Mr. Rouble: Sometimes in this Assembly, Mr. Chair, we have a tendency to vehemently or vigorously agree on something. I think that's what is going on right now. The member opposite and I are both agreeing on a course of action. Maybe we can come to an agreement that we will agree on that, and then move on.

Mr. Chair, there were significant cost overruns in this. If the member likes, I can go through and read all the reasons for these cost overruns. There were significant cost overruns and there were reasons for those: the bids came in higher; poor weather caused delays; materials were late in getting there; there was a problem with the soil. I am being encouraged to read the geotechnical report, Mr. Chair, and I am wondering if that is what members in this House want to debate. Do they want to debate the geotechnical report, or do they want to talk about the broader direction of education?

I think the Member for Mayo-Tatchun and I are agreeing on this. We want to have some community involvement and have the community involved in the decision as to what to use the space for. That's what we are going ahead and doing. I appreciate the concerns of the Member for Mayo-Tatchun; I appreciate him encouraging the department to consult with his community. I see that as a key responsibility of the department, not only on this issue but on issues in the future. We have to have the people affected involved in the process. We need to have parents involved in the decision making; we need to have students involved; we have to involve school councils and not just in this situation but in situations in the future.

I have heard the member bring forward the idea of looking at saving the school. That is a new idea that he has brought forward to me, so I can't promise that we are going to build a swimming pool there, because there are lots of other things that could come up as to why that isn't a feasible idea or why it might not even be a good idea to save the building. Like I said, I am not a geotechnical expert, and I am not a building salvage expert. I thank the member for his comment and I will take it under advisement.

Mr. Fairclough: I thank the minister for that answer. There are a couple of reasons why I'm not saying to save the whole school. It is the gym, the dressing rooms that are attached and a few other areas that could be part of it, including a lot of work that already took place in the classrooms. The heating system is already there, and so on.

The minister did commit to perhaps having a look at it. I understand that if it's not feasible, it won't happen. What the community people want to do is have a look at it and see if we can save this gym and turn it into a swimming pool. I thank the minister for that. I would also like to ensure he talks with the community to ensure, in the spring budget, there are monies for the demolition of the school and improvements to the school grounds. If he can do that, I'll be asking questions in that regard also.

There was one issue raised to me again during the election and it's in regard to the heating system of the school. This is a bit of a problem to me because the Yukon Party committed to working with the First Nations and making them full partners in education and economic development. I would think they would take some good ideas here and work with them.

One of them is that the First Nation had employed on their staff someone with expertise in geothermal heating. They didn't have the time given to them to put together a proper proposal on the heating system. I would like to know why they were given such a short time -- I think it was something like five days -- to come up with this and why we wouldn't explore this type of technology, which is used everywhere else. Right now in the administration building in Mayo, they're going to use geothermal heating.

Here we have a local person who has the expertise and has put this type of system in many other buildings, yet we didn't use him and I'd like to know why. If the minister doesn't know, perhaps he can give me that information by legislative return.

Hon. Mr. Rouble: We are all becoming more environmentally conscious and more conscious of the ramifications of our decisions, and as we see heating and energy costs go through the roof, we are taking a longer look at some of our capital projects and looking at the full life-cycle costing of things. It's not just looking at how much the construction cost is, but how much it is going to cost to operate this. What is the total volume of greenhouse gas emissions that will result from heating this? What are the investments we can make at the front end of things that will result in lower costs down the road?

I think that most people now, if they are looking at building their own home, will start doing things like putting in nine-inch walls or triple-pane windows, and making the investments at the beginning that will result in lower operating costs down the road. I think looking at geothermal heating sounds like a good idea. It should be looked at in future projects. Why it wasn't done in this case, I don't know. Timelines were set. I can only guess at why it couldn't have been accommodated within that time. The member is well aware that when tender dates are set, there are challenges in making large-scale changes, i.e. the replacement of a heating system and the whole redesign of that, in time to meet the original tender closing dates. With weather

and all the other delays, sometimes if we delay a tender closing, it has ramifications all the way down the line.

I appreciate the member bringing forward a concern about why this wasn't looked at at the beginning, and I will ask the department why it wasn't looked at or why it couldn't be accommodated. I'm sorry it didn't work out in this situation, but we will try to take a look at alternative energy, energy savings, geothermal, taking advantages of solar gain and other areas like that that will enhance the use of a building and reduce its operating costs and hopefully its energy consumption and, therefore, its greenhouse gas emissions on future projects.

I should add that \$60,000 was received from the federal government because the school did avail itself of some building incentive funds for building an energy efficient design. So some of those aspects were looked into, and we did work with our partners to ensure that we could get a very energy efficient building. Some of those concerns were looked into and were addressed.

Chair: Is there any further general debate?

Mr. Cardiff: I have pages and pages and pages of questions, but given the time, I'll stick to the salient ones and the ones have a priority. Contrary to the Premier's comments outside the Legislature this afternoon following Question Period, I haven't seen the discussion papers that the education reform project has put out on governance, administration, and language and culture. I'm just wondering when the minister would be willing to share those with me and the public?

Hon. Mr. Rouble: Mr. Chair, I look forward, too, to having further discussions with the member opposite. I know with his background in advanced education and with his work at the college, with his commitment to education, that I'm sure we'll have some pretty good debates in the time to come. Again, I hope we have an opportunity to discuss a high-level mission and vision. I would like to know where he sees education going. I hope we can identify those items where we vehemently disagree or vigorously agree and then how we can go forward.

Mr. Chair, as I said earlier, there was a press conference involving me and the chair of the Chiefs Committee on Education, one of our partners in the education reform project. As I stated earlier, education reform and working to ensure that we have the best education system that meets the needs of Yukoners and Yukon communities is my number one priority.

In the last two months, I have had the opportunity to meet with the education reform team and with other partners in education and groups. By no means have I concluded all these discussions. Many of them have barely scratched the surface. I look forward to continuing to work -- especially once we conclude our budget debates and the work that is before the Legislative Assembly -- with our partners in this matter to address education reform. As I said earlier, clear direction has been given to the education reform team to conclude the pre-consultative phase and put together the consultative package and get it out to community consultation and open it up to all partners involved in education.

Some of the items that will form the basis of this consultation package include the issues and concerns brought forward

in the pre-consultation stage. These include exploring the creation of a First Nation school, similar to the French immersion program. It includes making curriculum changes that will better reflect aboriginal cultures and languages, highlight the contribution of First Nations to society and illustrate history from a First Nation perspective.

The items that will be consulted on include involving a higher level of parental involvement, language revitalization and retention issues and more land-based experiential programs. Consultation will explore issues such as more rural high school programs. One of the key items is more decisions being made at the community level. I really want to work with our partners on empowering parents, communities and students to be more involved in education.

We have several great mechanisms already out there -- school councils, school committees. Maybe we need to find a better way to deal with them, maybe a better way to utilize them, a better way to involve them. These are some of the issues that have been raised with the education reform group in their pre-consultation work. Now, before any kind of foregone conclusions are made or before we go too far on something, we need to go back out to folks and say, "Hey, what are your thoughts on these issues"? These are the issues. How do we include more people in decision making and empower parents and communities?

The other issues that have been raised with the education reform group that we need to hear additional input on is employing more First Nation people in positions at the Department of Education to reflect cultural diversity -- issues like more First Nation school-based administrators, more open lines of communication and meaningful collaboration between schools and First Nations, more preschool Head-Start programs, more use of elders in the schools, improved culturally relevant mandatory orientation for teachers, and the expansion of skills and vocational training in Yukon high schools. There is a lot of work being done by the Department of Education in many of these areas.

These issues have also been brought forward to the education reform team as areas that need to be looked at and addressed, and the education reform team is being charged with looking at these issues, consulting with Yukoners and coming up with recommendations that will come to me and to the chair of the Chiefs Committee on Education on how we can affect our systems in order to best serve the needs of all Yukon students. We are going through the process.

The education reform team has been given a task of concluding their preliminary work, developing their consultation package, working with the executive group and going out and having their consultations and developing their recommendations. I greatly look forward to seeing their recommendations, which we expect to receive in the fall of 2007. If, in their consultations, deliberations and examination of these issues, they identify other areas where we need to make amendments to the *Education Act*, we'll also look at that. We have a couple of years on the legislative calendar before us, but we have to start the work now in order to get that process going so we can make changes to the *Education Act*, should it be necessary to do so.

We are committed to the process; the process is ongoing; good work is being done.

Mr. Cardiff: Obviously we don't have time for this debate today, but I'll tell you right now, I'm looking forward to the spring sitting, and it can't come soon enough. If we can have some discussions between now and then, maybe that will be a good thing.

The unfortunate part is the basic flaw of this government is the sharing of information. They refuse to share information, especially with the official opposition or the third party. I'd love to have a discussion about the governance of the education system in the Yukon but, unfortunately, the minister is the one who is holding the position papers and, if we were all singing from the same song sheet when we had that discussion, maybe it would be a good discussion, but when he's holding all the cards, it doesn't seem like a very fair game to me.

I'm sure we'll have an opportunity to have that discussion. I'll only ask one more question. It should be a quick and easy question to answer, and then we'll be able to move on. Hopefully, it will be. It's about school planning, which is another important issue. It's the facilities, basically, that house the children whom we hope are going to be participating in one of the best education systems in the country, once we get through the reform process. I'm not saying that we don't have a good education system, but it is failing some of our children in some areas. I applaud the department and the teachers and the people on the education reform project for the work that they do on a daily basis. But when it comes to school planning, this is another area where communities, parents and especially school councils need to be involved. The process that was used several years ago was a process where there were facility studies done, needs identified, and the plan for school replacement or renovation or whatever was put in the hands of the school council chairs. They were the ones who prioritized it. They were the ones who know the needs of their individual communities and what their individual schools require. They can look; they can have a discussion. I think that that seemed to work fairly well, and it responded to the needs of many communities across the Yukon for facilities upgrades.

I'm just wondering whether the minister would entertain at least looking at a model somewhat like that and that, would be my final question.

Hon. Mr. Rouble: Yes. I'll take a look at the model and give it some consideration. If it's a good idea, has merit and is something we can accommodate, it might be something worth looking at. I'll take a look at it.

I just want to add for the member that, if he does want to sit down and have a cup of coffee and discuss education, I'm more than willing to do that. Also, one of the courses I looked at a few years ago when I finished a degree was on school governance issues and the role of school boards and councils, how to involve people, how to have meaningful input in decision making -- I literally have textbooks and piles of notes that I'm more than willing to share with the member opposite. If he wants to sit down and talk about how we can include more local decision making, how we can include parents more in the decisions about their children's education, we can do that. If he

wants some additional resources, I have books and books of additional resources. We can have meaningful discussions about that and we can pull out the Yukon First Nation self-government agreements and see how they relate and what their powers, abilities and responsibilities are with respect to education and how the transfer or drawdown of powers can be effected. We can discuss that too.

Back to the member's question about school planning, I agree. The more involvement we have in a structured manner -- it is a bit of a challenge sometimes to just hold a public meeting and ask, "So, what do you think?" There has to be some structure to it and focus to help facilitate the process.

I will take the member up on his offer to sit down and discuss that, and consider the comments he put forward.

Mr. Cardiff: I have no further questions. I believe that the official opposition has completed all their questioning, as well.

I request unanimous consent of Committee of the Whole to deem all lines in Vote 3, Department of Education, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 3, Department of Education, cleared or carried

Chair: Mr. Cardiff has requested unanimous consent of the Committee to deem all lines in Vote 3, Department of Education, cleared or carried, as required. Are you agreed?

Some Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$2,896,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$4,775,000 agreed to

Department of Education agreed to

Chair: We will recess for five minutes.

Recess

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

Executive Council Office

Chair: The matter before the Committee is Bill No. 3, *Second Appropriation Act, 2006-07*, Vote 2, Executive Council Office.

Hon. Mr. Fentie: We have already had a fairly in-depth discussion about the Executive Council Office vote in the supplementary, both O&M and capital, ranging from the northern housing trust to other expenditures through devolution and revotes, and additional funds for First Nation participation in successor legislation, and so on. We remain ready to continue the debate; however, given the limits and the small budget this actually represents, there's not much more we can delve into, unless we get repetitive.

Mr. Mitchell: Well, I'll try to make it brief. It sounds like the minister is perhaps suffering from the same bug that

has been going around, so maybe we'll make the questions and answers brief back and forth and get through this.

I do have a follow-up question regarding the list of northern strategy projects, and we got into this a little bit yesterday regarding the Marwell tar pits. I did ask the minister a question regarding responsibilities and federal responsibilities. In looking through *Hansard* following yesterday's session, I noticed that on May 11, 2005, the former Deputy Premier and MLA for Klondike, in debate over this same issue, responded by saying this area is under federal contaminated sites legislation. If we were to enter onto the property, we would be totally responsible for the remedial undertaking of any difficulties that may be contained on that land. It goes on to say the federal government has been encouraged to move forward and come and identify through their process what it's going to take, how much money and so forth. To date, it has been an uphill battle for the former minister and the department to lobby them.

So I just want to hear from the Premier about this concept of, sort of, "You break it, you buy it", so to speak. If you start involving the Government of Yukon directly in assuming responsibility for remediation and it turns out to cost far more than had been anticipated, or problems develop, are we then on the hook? It's fine with me if he simply indicates that the former minister was incorrect in that assumption and that's not the case.

Hon. Mr. Fentie: I think the operative word here is "former". I can't speak to what a former minister of a past government was alluding to. What I can speak to is that we have been in discussions with Canada. Canada is a part of the northern strategy. I think it is fair to say that our approach to this is to address an issue of concern especially for the citizens of Whitehorse, but also Yukoners in general. It is a contaminated site. We have an option here to deal with it, at least to the extent that we can under the northern strategy. That is why the review committee on merit -- and I stress, on merit -- proposes that this project goes ahead.

Mr. Mitchell: I will accept that answer at this time; however, I would remind the Premier that it is a former minister of a government he led. Due to the concept of Cabinet solidarity and the fact that Cabinet discusses issues, one would presume that the minister was not freelancing because the record was not corrected at the time and the Premier agreed with that position at the time. I don't want to get back into a debate about former ministers. It was a position that was presented by this government.

There are a few issues from some of the platform commitments of the Premier's Yukon Party during the campaign. I would just like to ask if he could elaborate a bit on what is happening, as it falls under this department. The first one was the development of a strategic action team under the Executive Council Office comprised of a team of professionals with expertise in preparing business proposals, establishing joint training initiatives and establishing financial systems and information technology links to assist Yukon First Nation governments in capacity development upon request. In fact we had something very similar to that in our platform so I am prepared to be supportive, but I'm wondering if the minister can elaborate on

how soon he envisions getting this group together and when it might be available for First Nation governments to draw on that expertise.

Hon. Mr. Fentie: I think we have some confusion here. I was of the understanding that the official opposition committed to creating a whole department in this particular area similar to, I assume, the Department of Indian Affairs and Northern Development within the Yukon government corporate structure. It was a pretty clear commitment by the Yukon Liberal Party, the official opposition, that this is their approach to First Nation relations.

Our work is now in the early discussions of the issue of capacity as it relates to First Nation governments and what can the public government -- in this case Yukon government -- do to assist with that capacity with the understanding that much of the capacity issues also relate to First Nations being thrust into, through the final agreements, a governance responsibility. Part of this is the work we are doing on the nine-year review; we have clearly demonstrated now through that review process that there is a serious fiscal capacity issue. If we look at capacity in all its forms, Yukon will be working with First Nations in areas of capacity to assist, but will be also working with Canada in other areas of capacity that are pertinent to the final agreements and bear federal obligation and responsibility. The first thing that has to be addressed is the issue of fiscal capacity to deliver governance as envisioned and intended by the final agreements and self-government agreements.

The other point to this is that it is essential that we are able to address issues in a timely manner. We cannot ignore the fact that in trying to do that, we must be ready to assist where possible and where the Yukon government, to the extent possible, has the resources and the tools necessary to assist in processes with First Nations. We have already been doing that, I think, over time here and it is pretty evident with things like secondments where the Yukon government has seconded to First Nations individuals who have a certain skill set or provide the First Nation a certain area of expertise. Of course that will continue, but we are looking at more of a focus on capacity, especially internally, in how we can build some critical mass here in our ever-evolving and improving relationship with First Nations.

That's essentially what it's about. Right now, these are early discussions and those are important, because it gives us a better insight into how government within its corporate structure can assist, especially with available and existing human resources and other resources we already have in use on a daily basis.

Mr. Mitchell: First of all, let me correct the record. I would remind the Premier we did not commit to forming a new and separate department; in fact, we talked about creating a new minister who would be responsible and a champion of implementation. If the Premier wants to continue to re-fight the last election, I would think there's some aspect to being a gracious winner. The votes have been counted; he won; he's the Premier; and I don't think it serves much purpose. Nevertheless, I just don't want the record to show something that isn't.

We did not say we were creating a new department, even though the minister tried to suggest we were saying that.

Second, we did publish our platform somewhat earlier in the campaign than the governing party did. They published theirs in the final week, I believe it was, but we did read it. What I read to the Premier was taken verbatim from it. I was suggesting that we think it's a good idea. We had similar wording in our platform about creating a group of people who could go in and assist First Nation governments in capacity development. I was only asking if the Premier had any timelines on when that would be up and running.

Perhaps when he stands up next, he would not re-fight the election campaign and would just answer the questions, which is what our role is here today.

Again quoting from some of the commitments made, there was one to urge the Government of Canada to complete the unfinished business of settling the three remaining outstanding land claims in Yukon through the resumption of land claim negotiations. Again, I'm wondering if the Premier has taken the opportunity yet to communicate with the federal minister responsible to see if he can be a champion of getting some movement on that, from his perspective. I know that the First Nations have their own views on when they're ready to be at the table, and Canada has indicated there is no table right now, but this is a commitment made by the Premier in a platform in an election which, as he likes to point out, he was successful in.

I'm going to read off just two more of these because, as the Premier mentioned, the time is short and there are other departments we want to get to. It says: "Offer to act as a facilitator or mediator with the Government of Canada, the White River First Nation, the Liard First Nation and the Ross River Dena Council, to resume land claims negotiations and work with First Nations, Yukon College and its community campuses, and the private sector to provide training for Yukon First Nations for land claims implementation, especially in relation to capacity development for First Nation governance."

Presumably, the Premier had some very specific ideas in mind when he made these commitments. They weren't just off-the-top-of-the-head statements. I was just hoping he could give us some timelines on when we could expect to see some of these things moving forward or if indeed any of the money in the current budget might be going toward that.

Hon. Mr. Fentie: It's not essential that we have a line item on the pages of a budget. There is latitude in many areas of investment with respect to First Nation relations and the negotiation and implementation of claims. In many cases this is recoverable from Canada, but we are, to some degree, dependent on how that process works with the federal government.

I think it's important that we recognize contrast and what each side of the House commits to. This side of the House is steadfast in its position that First Nation relations and negotiation and implementation of claims and self-government agreements remain in the Premier's office. The Liberal Party, in official opposition today, believes that role should be diminished and put in the hands of the line department minister. That is a distinct contrast.

The other problem with the remaining claims is that there is no federal mandate. That is something that has to be dealt with first before any further steps can be taken on negotiations. As I understand it, the federal minister, in listening to Yukon's representations on this matter, has now engaged an envoy who will enter into discussions with the First Nations that have not yet settled. Although I don't have any description of the envoy's mandate, the envoy is going to be talking about the way forward in this area.

Our platform demonstrates that we would use the good offices of government to assist wherever possible through facilitation of advancement of process, and we can provide the federal government, I think, a great deal of insight into the negotiations with the final claims that exist with White River, Liard First Nation and indeed the Ross River Dena. We will continue to raise these issues with the federal minister at each and every opportunity, and the importance of that is to make sure that Canada does not diminish its focus on where they are the primary responsible government. So we will continue to press the point.

The other issue is we've also discussed with First Nations what options they may want to look at with respect to informing their citizens and so on. But at this stage, without a resolution to a new federal mandate being developed, it's very difficult for us to advance in any way on concluding the final agreements here with the three First Nations in question.

Mr. Mitchell: I'd just like to return to something that I asked yesterday in Question Period -- and I was not entirely satisfied with the minister's answer -- and that is the Kelowna accord. The minister yesterday in Question Period said, "When it comes to Kelowna, I would remind the member that even the Assembly of First Nations is not fixated on the name of an accord but more on dealing with the gaps and issues that aboriginal Canadians face today." I guess what I would suggest are two things. First: that accord was intended to deal with those gaps in health care and in education and in housing in other areas. I agree with the Premier that it's not an issue of the name of an agreement, but I think the important issue that exists here -- and I think it should be important for the minister -- is that there is a principle involved, and that is that this Premier, along with all of his colleagues as well as First Nation leaders and the federal minister of the day, put their signatures to an agreement.

There have been disparaging remarks since then that it was something made on the back of a napkin and that there was no funding. The Premier himself has done this in the election campaign. He suggested that he would build a cold climate research centre and, in response to questions, said he didn't know what it would cost or where the money is coming from, but it's important and we are going to do it. People make promises. When those people represent government, those promises have meaning and substance. When it is done at a meeting of the federal, provincial and territorial ministers and everyone puts their signatures to it, First Nation leaders have every reason to believe that it is more than just something written on the back of a napkin. It is the same principle as signing off treaties

or other obligations; those agreements endure even though governments of the day may not.

Again, I will ask the minister if he will go back and urge his federal colleague, as have many of his provincial colleagues, to honour not only the spirit of that agreement, but also the funding commitment of some \$5.1 billion, instead of saying that here is \$50 million for the northern housing trust and here's something else. We were talking about \$5.1 billion that was a federal commitment and was agreed to by all jurisdictions on behalf of aboriginal people. For the life of me, I do not understand why this minister isn't willing to be supportive of his colleagues when at least three different parties are saying that they continue to support it. I would ask the minister to respond.

Hon. Mr. Fentie: I am not sure where the member is going with this point about something being written on the back of napkins. That is not something this government has ever referenced.

Furthermore, the Kelowna discussions resulted in the federal government of the day committing \$5.1 billion over the course of five years. I think we have to reflect on that and then look at what is transpiring in this fiscal year and the significant investment that is being allocated toward dealing with the gaps that we all agreed to long before Kelowna.

They were all very evident. To suggest we do not support the Council of the Federation, the 10 provinces and our sister territories in addressing the gaps for education, housing, clean and safe drinking water, economic opportunity and standard of health is incorrect. We fully support that.

What we are doing is our work, along with the now-elected federal government as of January last year, in ensuring they live up to what they committed to in writing during the campaign. It didn't speak to something on the napkin. It was pretty clear that the federal government of the day today agrees that the gaps exist and we must deal with them. There are certain examples of this federal government moving ahead in a number of areas, most recently, as I understand it, a major investment on reservations when it comes to safe and clean drinking water.

We have to be a little more conscious of something that is all about principle. In this particular area of importance to the Canadian federation, in just and fair treatment for all its citizens, there are no partisan political boundaries. To put up partisan political boundaries in front of the meaningful discussions of the way forward with all concerned, be it provincial governments, territorial governments, the federal government, representative groups like the Assembly of First Nations and others, is counterproductive.

The issue here is: how are we best able, from this point forward, to truly and actually deliver on closing the gaps that exist? That's the purpose of the exercise we're all committed to, including the federal government.

Mr. Cardiff: I have some questions for the minister in this department as well. I am going to start with some questions that basically relate to government and Cabinet communications policies.

The first one is going to be pretty simple. Hopefully the Premier can answer this one with a yes or no and we can move on and get to the meat of the matter.

I would like to know if Cabinet and caucus members and their staff still receive transcripts of radio interviews that are prepared and circulated within government on a regular basis.

Hon. Mr. Fentie: I am not sure what the member is referring to. Transcripts are on the Web, posted in many forms by radio and the print media. If there is a situation here, I'm not sure exactly what he is referring to. This is a contract arrangement, as I understand, with an Outside firm that produces this material, so at the end of the day maybe the member could expand on what it is he is talking about.

Mr. Cardiff: I would be more than happy to expand on it. The reason I am asking these questions is because up until about the time of the last election, or just before it, opposition MLAs were automatically on the distribution list for these interview transcripts. These interviews are basically interviews that are done on CKRW, CHON FM or CBC Radio. We were automatically on the distribution list and it appears that now we are not. When a member of my staff phoned the Executive Council Office to find out why, he was told that the contract with the transcription service was recently renegotiated and that a decision was made not to distribute the transcripts outside the government. We would like to know who made that decision and why.

Maybe the Premier could get us a copy of that contract with the transcription service, because unless something has drastically changed with this new contract, the size of the e-mail distribution list should have nothing whatsoever to do with the cost of providing that transcription service. The company that records and transcribes the broadcasts sends the transcripts to one point within government, and the distribution is done from there. It's a matter of one keystroke on one government computer, so cost really has nothing to do with it. The system was working prior to the last election. The way that it works is if a government department asked for a transcript of a certain interview -- it could be an interview about the education reform process, it could be a copy of *Breakfast with the Premier* every Friday morning on CHON-FM. The department would receive that transcript. It would be paid for on the basis of how many pages it contained. Actually, I'm familiar with this service myself, because I've asked for other proceedings to be transcribed. I'm not sure if it's the same contractor or not. Basically, you pay by the page.

So after the department had requested the transcript and it was received, it was distributed within what would probably be referred to as the government distribution list. Until recently, that included opposition caucuses. If our caucus or the official opposition were to request an interview, we would be billed for the cost of the transcription, but the transcript would also go to that broad list, including the Premier's own communications office. This isn't happening any more. What we'd like to know is whether the Premier or anyone in his office gave instructions to the Executive Council Office about what should be in that new contract, and specifically, did the Cabinet offices make a

decision that elected MLAs, who are not on the government side, should not be on that distribution list.

Hon. Mr. Fentie: Of course we didn't give direction to somehow ensure the opposition wasn't receiving transcripts. I don't read transcripts, frankly. I don't know to the remotest degree what happens to them. That's just something I'm not into. If the members opposite are fixated on transcripts, I think this is a contract issue and we'll look into the contract and go from there. Surely if the opposition is dependent on holding the government to account by media transcripts, democracy is in big trouble.

Mr. Cardiff: Between sittings it's good to know exactly what ministers of this government are saying in the media. Rather than hearing it third-hand on the street or if we're not listening to the radio at the particular time, it's pretty handy to have that transcription service so we clearly see what the Premier or one of his ministers said.

It sounds like the minister is willing to look into this and try to resolve the issue. We do find it valuable to see and have those transcripts.

On a related issue to this, there is a policy that requires opposition MLAs and their staff to go through the minister's office to get routine information that is readily available to any member of the public. Quite a few months ago -- I don't know exactly when -- the leader of our caucus wrote to the Premier, pointing that the *General Administration Manual* makes it clear that public employees have an obligation to provide information of a factual nature to members of the public. To the best of my knowledge, the Premier hasn't responded to that letter and it's one reason I'd like to ask this question now.

If government information of a factual nature is made available to members of the public, there is no justification whatsoever for any policy or practice that treats members of the media, MLAs or caucus staff members any differently.

We have watched and we can see the Premier's desire to control information flow available to the opposition. I can understand that he wants to control that. I'm not too impressed by the way it happens.

Here we are agreeing that we need to reform the way that the Legislature works. Part of that is about operating with all the information. When I'm doing casework for constituents, they actually have more rights than I do. They can go to a front-line person in a department and ask the question and get the information, but when they ask me to do that on their behalf, I have to call up the minister.

If you are serious about legislative reform, you could start by getting rid of this discriminatory policy that is contrary to government rules on communicating with the public. It makes me feel like a second-class citizen, as an elected representative of the people who doesn't sit on the government side of the House.

Will the Premier do that? He doesn't need to wait. He could lean over and give the instruction to the deputy right now that from now on any information available to the public will also be made available to MLAs and their staff, without us having to chase down a minister or a minister's staff person and make the request.

That is all we are asking -- that we have the ability to communicate with front-line people and get information that is available to the public without having to ask the minister for it.

Hon. Mr. Fentie: Well, if that is the member's view of government and the democratic process, why do we have ministers? What is the point? Why are we here? The member is talking as if anyone in any structure in the overall corporate operations of government can speak to any matter at any time. The member knows better than that.

When it comes to policy, we are elected people. We are the ones who speak on policy matters. If it is an operational matter to some degree, officials of course make their issues and questions available to the public. On policy matters, it is the executive arm of government that bears the responsibility. I have been around here 10 years. For every case file that I ever opened, I wrote a letter to a minister to ask the minister to provide me and my constituents some information. That is the way the process has worked ever since government started in the Yukon.

If the member thinks that we are going to have a situation where opposition members are phoning departments asking all kinds of questions, demanding all kinds of information, giving instructions to department officials, why don't we all just go home? We can sit out in the public and phone the departments, demanding that we need something and we need it right now. This is not the way that the democratic process works. I find it astounding that we are even having this discussion. I can point to every past government -- and the member is suggesting that this government has suddenly changed the policy. Absolutely not.

That has not been the case whatsoever. This is the standard procedure that every government in this territory has followed time and time again through the fullness of time of governance here in the Yukon.

There are all kinds of issues here that also demand a cross-departmental assessment for response, because a litany of areas is being addressed by numerous agencies, departments and other entities within government. I find it, as I said, astounding that the member opposite would actually be asking us to allow a situation where any individual here could just phone into a department and demand information of a policy nature. That's why we have this institution; that's why we have debate; that's why we have votes; that's the purpose of the democratic process. So, nyet, nix, no: we haven't changed the policy and we are not going to.

I would encourage the members opposite to do the right thing. If you have issues, contact our ministers. That is the way to do things. Well, I just heard the Member for Mount Lorne saying half the time the members don't get an answer. Why is it then, on a daily basis, scores and scores of letters and other forms of correspondence are being signed off by the ministers, sent to opposition members, sent to the public, sent to groups, sent all over the territory -- I mean this suggestion is absurd. There is no policy change; we haven't changed the policy; past governments haven't changed the policy. It is the same one that has existed since the beginning.

Mr. Cardiff: I find it astounding. The Premier has more experience in this Legislature than I do and I would have thought that, because of that, he has a better understanding of what it is I'm talking about. It's not necessarily us as members calling into departments and asking for loads and loads of information; it's calling in and asking for clarification on issues that are important to our constituents. A lot of times it would be much easier to get the answer from the front-line worker, and that way it would be easy for us to explain to our constituents what the problem is.

It's not necessarily a policy matter. If the Premier thinks we're phoning into departments and giving them instructions about what they should be doing, he needs to give his head a shake. We understand that's not how it works. All we're asking for is a little respect, to be treated the same as the public.

A member of the public can phone in and ask about an issue that's important to them, something that has affected them and their life, and get an answer about it, but when I call up and I get a meeting or I get some information and I'm told, "This is the last time; the next time you have a question like this, you have to contact the minister responsible." This is when it's a pretty straightforward issue. Unfortunately the issue won't go away because that's the message I was given; it's going to continue.

The Premier was pretty blunt in his response, and it doesn't sound like he's willing to make us more than second-class citizens in this Legislature, and so I'll move on. I do have a couple of other quick questions, hopefully.

In this budget, the line item for the \$32.5 million, the minister indicated that it's going to flow directly to First Nations. So it's a quick question. Hopefully the minister -- I don't know, maybe the process doesn't exist, but I'm wondering what the process is for individual First Nations, self-governing or not, members of Council of Yukon First Nations or not, to apply for and access this money? Are there criteria? How is it going to be divvied up, and what's the process for applying for it and receiving consideration? I guess the reason for that question is: what if there are requests for \$70 million and there is only \$32.5 million?

Hon. Mr. Fentie: I was just thinking of another "if," and it had to do with aunts and uncles, but I won't put that on the floor of the Legislature.

But, look, we're going to transfer \$32.5 million to First Nation governments and allow those governments to develop a process that shares and distributes the \$32.5 million. All we're doing is following the criteria that are laid out in Bill C-48. This is for affordable housing, multi-unit, single-unit, renovations for whatever needs to be structurally fixed. These are the areas that they can invest in.

But here's an interesting contrast again. Here's a government that has heard on numerous occasions from that side of the House -- the members opposite, the official opposition, and indeed the third party -- about the disastrous relationship with First Nations in this territory. And here's another piece of evidence that shows that the Yukon Party government is far ahead of the third party when it comes to First Nation relations by allowing them to make decisions as governments.

Obviously, the third party is very concerned about allowing First Nation governments to make their own decisions on behalf of their own citizens. Frankly, we are more than willing to flow these funds to First Nations for their disbursement and disposal on behalf of their citizens. That's why we entered into the arrangement we have entered into. It speaks volumes about our approach to relationship building with First Nations in comparison to the third party's.

We already had a demonstration by the leader of the official opposition on reducing the level of priority for First Nation relations in the Yukon government by creating a line department minister and removing it from the Premier's office. We have kept it at the Premier's office, the highest office in the corporate structure of government, and we will continue to do so.

We are certainly not going to start dictating to First Nations what they are going to do as a government in making decisions on behalf of their citizens. What we are going to do is continue to build a government-to-government relationship and partnership that was intended under the final agreements and the self-government agreements. It is all about building Yukon's future. The \$32.5 million is certainly much about today and the future -- enhancing and increasing our inventory of affordable housing here in Yukon in First Nation communities where we have demonstrated through our arrangement and joint-investment plan that we recognize the majority of needs are with First Nation communities.

Mr. Cardiff: The Premier is almost putting words in my mouth, it would seem. I don't have a problem with flowing \$32.5 million for housing to First Nation governments at all. I'm not sure it's even enough to meet the needs that are out there.

The Premier talks about entering into an arrangement. Maybe he could -- it's a little late; although there is still an hour -- ask someone to send that down and he could table that arrangement in the Legislature here for us so we could all have a look at it.

I guess what I am trying to get at is: when this \$32.5 million leaves the Executive Council Office, does it flow into one bank account to be distributed by First Nations for First Nations, or is the Premier's signature going to be on each individual cheque? My understanding is that the Premier doesn't know that. Maybe he can make that arrangement that he has entered into available to us so we can all have a look at it and gain some understanding.

The Premier doesn't want to share the information with the official opposition. It's pretty hard to sing from the same song sheet when he's holding all the song sheets. We don't even have a music stand to put the song sheet on.

I want to move on, because time is short. I have one more question for the Premier. There is probably a litany of questions that we could ask the Premier in this department, because it is important. It may be small in the supplementary, but when one looks at how many pages it takes up and the responsibilities of the Executive Council Office in the main budget, there is a lot of responsibility there.

One of the program objectives is to work with First Nations and support the work of other departments to enhance economic partnerships and opportunities. It would seem to me that if the government is working with other departments -- for example, one might be the Department of Economic Development, especially if economic opportunities and partnerships were to be enhanced. The Department of Education might be another one, because when economic opportunities and partnerships are being enhanced, education plays a key role in economic opportunities for every Yukoner and community, First Nations or not.

I'd like to know what role the Premier and this department play in the negotiation of what are known as IBAs -- impact-benefit agreements -- with resource companies here in the Yukon. As much as the Minister of Economic Development would like to stand up and tell us how many people are working on any given project in the Yukon, the opportunities that are made available to people in communities aren't always there. The opportunities are to be bull cooks or cook's helpers or labourers. What needs to happen with these impact-benefit agreements -- and if the government has a role to play, they should be there fighting alongside communities and First Nation governments to ensure those impact-benefit agreements are state-of-the-art, up-to-date, model impact-benefit agreements that provide for training and the real jobs, the trades jobs. Trades training is a big part of what the Minister of Education was talking about in his department today.

We need to ensure they are afforded opportunities to receive training in trades, equipment operation and all those technical jobs, the ones with transferable skills that will allow them to work on those projects in their communities and will allow them to go to another community and also work on other projects. That's important.

It's about ensuring that the agreements that are reached provide training and real job opportunities -- not job opportunities at the bottom of the scale, which is what is happening in so many instances.

If the Executive Council Office doesn't have a role in assisting First Nation governments and the work of other departments in this area, I think it should. I'd be interested to hear what the Premier and minister have to say about that.

Hon. Mr. Fentie: That is exactly what is happening. The Yukon government in its role through the Executive Council Office, and indeed the land claims and implementation secretariat and all other departments, are working diligently on encouraging the corporate community and First Nations to structure meaningful impact-benefit agreements. There are examples with Selkirk First Nation, Liard First Nation, the Ross River First Nation. Look at the corporate partnerships established by Vuntut Gwitchin and others; there is a long list here and the member knows full well that that is exactly what we do as a public government.

Let me remind the member about things like chapter 22 under the land claims; we have an obligation. Let me remind the member of other commitments and obligations we have -- such as the *Kwanlin Dun First Nation Final Agreement* and capital investment by government of \$3 million and over. It is

all happening, but I am going to encourage the member opposite to recognize that being a labourer is not somehow demeaning or diminishing someone's role in society. I hear the member talking about if you want to be an electrician -- well, does the member not look at the budget documents and the millions of dollars we have provided for training and the increased focus on trades and the amount of First Nations' attendance in institutions like Yukon College? The amount of training we have done for heavy-equipment operators.

What about the oil and gas training? First Nations are working on rigs. There is a Vuntut Gwitchin citizen who is very much involved with Devon, a major oil company that is actually running the Kotaneelee gas plant. The member has to get the facts straight; all these things are happening in the Yukon and let's not diminish the advancement that First Nations have made. Further, let us not diminish the situation the Yukon is in today with the tremendous opportunity being provided to First Nations in many areas.

Now, I cannot stand down on this debate without making mention of this assertion by the acting leader of the third party of being treated as a second-class citizen. What is the member talking about? Second-class citizen. That's a serious accusation and I don't accept it, and I'm going to say to the member opposite that it's high time to raise the bar in this institution, in debate. It has nothing to do with fact. No member opposite is being treated like a second-class citizen. In fact, we the government side are treating members opposite with the greatest respect and the highest degree of professionalism, because that is our duty and responsibility. It would be nice to get some reciprocity once in awhile from the opposite side of the House in that regard. I think of instruments, like the much vaunted code of conduct, the contractual arrangement that the official opposition has, and yet we had the Member for Kluane on his feet here days ago, suggesting that the government has an employment office at the Adult Warehouse. You know, these are all examples of --

Mr. Chair, before the members opposite head down these roads, have a look in the mirror, because if there is ever a case of the pot calling the kettle black, this is a prime example. To accuse this side of the House of treating individuals on that side of the House as second-class citizens is unacceptable, irresponsible, has no place in this institution, no place in debate, and the member knows full well that access to information in this territory is at such a high level you can hardly pack the material out of an office at any given moment. You can access material and information virtually everywhere, whether you go to the coffee shop, to the government offices, to the Web sites, listening to the radio, reading the newspapers. It's everywhere. Information flow in the Yukon is constant, consistent, and it is based on transparency and full disclosure.

Mr. Mitchell: Yes, well, that was very interesting elocation on the part of the Premier.

I would like to just correct the record on something. I will be careful how I do this, because I certainly don't want to impute false or unavowed motives to another member. I will operate on the presumption that the Premier was too busy to read other parties' positions or had a difficult time understanding

them. I am sure that must be what it is -- a lack of understanding -- because I know he would want to be accurate.

A few minutes ago, the Premier said that the official opposition wanted to downgrade the standing on the relationship and the ministerial responsibilities to First Nations. That is simply not accurate. It is not correct. It is wrong. In point of fact, after consulting with a number of individual First Nation chiefs and the Grand Chief -- all of whom we asked this question and all of whom were complaining that, under this minister's watch, they did not feel that land claims implementation was moving forward at a pace that was satisfactory to them or their people -- we suggested the possibility of having two ministers. The Premier would continue to act as the minister responsible for aboriginal affairs and would lead the negotiations, but to ensure that there would always be another voice at the table, there should be a minister responsible for implementation. So, there would be two -- two, deux, שתיים, dos, zwei.

It is not downgrading, but increasing the emphasis that would be placed on it. Yes, there might have been some difficulties in making it work. We acknowledge it in our discussions with the chief as to where the division would be. There was no intention to downgrade it. I wouldn't want the minister to go home tonight worried that that would be the feeling on the opposition side -- that we were looking to downgrade it. I know that, in the interest of accuracy, he is always looking to be well informed. I just wanted to make sure that he remains so.

Hon. Mr. Fentie: Always willing to engage in vigorous debate -- and I know the leader of the official opposition is having a bad day, but let's focus in on this issue of downgrade.

I believe yesterday in this House a question was asked by a member of the official opposition to the Minister of Justice, alluding to the fact that the process the Minister of Justice is leading in partnership with First Nations has set back the construction of a new facility. I find that somewhat similar to the word and definition of downgrading a relationship that is much more than building a jail or a warehouse, as the members opposite would have it. Let's get serious here.

The member can have it his way, whatever he promised the First Nations, whenever and whatever that may be -- that's the member's business. The government side is pretty clear on where it's going with its relationship with First Nations, be it the development of an act passed in this House called the *Co-operation in Governance Act* or the creation of the Yukon forum. We can look at some of the examples of partnerships: the *Children's Act* review, education reform, corrections reform, a joint committee on making recommendations on a new facility for a correctional centre, the joint investment plan on northern housing trust, the joint process on the northern strategy. The list goes on and on. There's the trilateral agreement on the targeted investment program. I think the government side has ample evidence for demonstrating the level of relationship that we are delivering on in all its facets.

For the member opposite, have it your way. Whatever the member committed to First Nations is the member's business, but the government will continue on its course of building

Yukon's future with meaningful partnerships with First Nations as the final agreements intended us to do.

Mr. Mitchell: Well, as much as there is a temptation to carry forward with the debate, in the interest of time and knowing that there are departments to discuss in this very abbreviated session, I would now request unanimous consent of Committee of the Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 2, Executive Council Office, cleared or carried

Chair: Mr. Mitchell has requested the unanimous consent of the Committee to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$2,484,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$32,500,000 agreed to

Executive Council Office agreed to

Department of Finance

Chair: We will now proceed with Vote 12, Department of Finance.

Hon. Mr. Fentie: Mr. Chair, I have some brief introductory remarks.

It is indeed my pleasure to introduce once again the 2006-07 *Supplementary Estimates No. 1* for the Department of Finance. On the operation and maintenance side of the department, the increase requested is \$113,000, which brings the revised operation and maintenance vote for the department to \$5,408,000. This increase is made up of two components. The first component is a revote of \$184,000 to cover the energy rebate program, which extended beyond last fiscal year-end, and two small administrative projects also started in the last fiscal year that carried over beyond March 31. The second component is the reduction in the personnel allotment of \$71,000 due to the transfer of an FTE from the Department of Finance to the Public Service Commission. The transfer was agreed to by all parties and relates to the support for the human resource information system.

On the revenue side, the department is requesting an increase to the departmental revenues of \$3 million and additional transfers from Canada in the amount of \$49,464,000.

Several of these transfers from Canada are new and are largely made up of the various trust funds recently established by Canada for Yukon. Although expenditures from these various trusts will eventually be expended by various departments, the revenues are being reflected in the estimates for Finance to ensure that the presentation is consistent with the public accounts.

This change in presentation was done based on a recommendation by the Auditor General of Canada. Reflected in the revenues for the department are amounts listed for post-secondary infrastructure trusts, northern housing trust, grant

from Canada, public transit capital trust and affordable housing trust.

There are also some downward adjustments to reflect the timing of when we receive some transfers from Canada under various initiatives, such as wait-times reduction, public health and immunization trusts and northern strategy trusts. These are reflected in the 2005-06 public accounts as previously mentioned.

As a result of these additional funds being available for investment, together with other available funds, the department is anticipating an increase in investment income of \$3 million.

I will now be very pleased to take on questions from the members opposite, and I think the introductory remarks demonstrate clearly that the Department of Finance's supplementary request is very simple and concise and succinct in nature.

Mr. Mitchell: Well, the Premier, the Minister of Finance, previously suggested that he thought I was having a bad day. I am having a perfectly lovely day and I am sure he is as well.

In the spirit of keeping it a lovely day, I would suggest that the combination of the debate that we engaged in under general debate previously and the minister's explanations here regarding the two small requests for operation and maintenance expenditures as well as the significant changes in funding revenues coming in are satisfactory, and we have no questions at this point.

I would request unanimous consent of Committee of the Whole to deem all lines in Vote 12, Department of Finance, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 12, Department of Finance, cleared or carried

Chair: Mr. Mitchell has requested the unanimous consent of the Committee to deem all lines in Vote 12, Department of Finance, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$113,000 agreed to
Department of Finance agreed to

Yukon Housing Corporation

Chair: We will now proceed with Yukon Housing Corporation, Vote 18.

Hon. Mr. Kenyon: I'm very happy to start while the officials are coming down.

Mr. Chair, I'm presenting a supplementary budget today for approximately \$1.3 million in capital expenditures, with a matching recovery of \$1.2 million. This supplementary budget is primarily a revote from the previous year's budget that was allocated for affordable housing and will be applied to complete work under the same program this fiscal year.

The client-focused programs of Yukon Housing Corporation are consistently accessed by Yukoners year after year. This government is gratified to lead an organization that allows Yukoners to improve their quality of living, the energy effi-

ciency of their homes, and ultimately to reduce negative impacts on the environment.

The green home mortgage, accommodating the home mortgage and home repair programs, provides a standard of development that will see positive results for years to come. The affordable housing initiative produces home designs that are barrier-free and energy efficient. We are seeing increasing market demand for these features by young families and seniors as witnessed in the Falcon Ridge development project.

Every day during the construction season, we see new homes being built. Whitehorse has seen in excess of 150 residential building starts to date this year. Our home ownership program has shown a surge in uptakes since last year at this time. This, of course, has a directly positive impact on the housing industry and the Yukon's economy.

What is happening outside the City of Whitehorse? In Yukon's rural communities an additional 108 new homes have been started this year, and many of these builders have taken advantage of the Yukon Housing Corporation's programs.

Through our social housing program we are pursuing the development of a six-unit seniors housing complex in Haines Junction. We've had an excellent working relationship with representatives from that community, and they've added great value to the project through their insight and contributions.

Many seniors are reluctant to leave a home they've enjoyed for many years and move into government-owned housing, so this is a major step in one's life. However, there are circumstances where, with some upgrades to fixtures and other features of the home, seniors will be able to remain much longer where they feel comfortable and safe.

This government supports the accommodating home standards, which will allow seniors to live longer in their existing homes with some required upgrades. There are seniors all across the territory who will now have that very opportunity.

In Dawson, Carmacks, Watson Lake, Teslin and Mayo, we are repairing roofs, replacing windows, doors and furnaces, as well as updating appliances in Yukon Housing Corporation housing stock.

Work on renovating and rehabilitating both social and staff housing units is an ongoing activity that provides employment and an infusion of dollars to those in our rural communities. It also provides clean, comfortable and reliable living conditions for our clients.

Speaking of clean, comfortable and reliable living conditions, I would like to remind members of this House that the Yukon Housing Corporation will soon be taking possession of 48 new housing units, presently known as the athletes village. The corporation will look after the necessary maintenance services in conjunction with the Property Management Agency of Highways and Public Works from the date of takeover.

At their December 1 meeting, the Yukon Housing Corporation Board of Directors directed the staff to proceed with the planning for the utilization of the athletes village building as a dedicated seniors facility. With our growing seniors population, this is the most appropriate use of the building into the future. The board directed the staff to consult with the seniors population on the planning and transition process and, to this end, the

Yukon Housing Corporation staff has already met with the Yukon Council on Aging representatives and will meet with the various tenants associations over the coming weeks.

The Yukon Housing Corporation is a part of the Yukon community. Whether here in Whitehorse or out in the communities, the Yukon Housing Corporation provides programs and services that Yukoners want and benefit from.

The programs we offer are designed to help Yukoners repair and upgrade their homes or to help them purchase homes in areas where mortgages can be difficult to obtain. They are designed to provide housing for those with special needs and for seniors who wish to remain in existing homes.

All Yukon Housing Corporation's programs and services are designed to assist the Yukon public in either acquiring housing or improving the housing they currently have. I am pleased that, with the input provided by the community boards, which I had the pleasure of meeting last week, it is directed toward ensuring that our programs meet their priority needs. My meeting with them on December 1 confirmed that the positive directions being taken by the Yukon Housing Corporation are timely and appropriate.

Mr. Chair, it will be my pleasure to respond to any questions in general debate, prior to line-by-line review.

Chair: Is there any general debate? Seeing none, we will proceed line by line.

Mr. Fairclough: Mr. Chair, I seek unanimous consent of Committee of the Whole to deem all lines in Vote 18, Yukon Housing Corporation, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 18, Yukon Housing Corporation, cleared or carried

Chair: Mr. Fairclough has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 18, Yukon Housing Corporation, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Capital Expenditures

Total Capital Expenditures in the amount of \$1,325,000 agreed to

Yukon Housing Corporation agreed to

Chair: We will proceed with Energy, Mines and Resources, Vote 53.

Hon. Mr. Lang: May we have a 10-minute recess, so my support people can be here?

Chair: We will recess for five minutes.

Recess

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

Department of Energy, Mines and Resources

Chair: The matter before the Committee is Bill No. 3, *Second Appropriation Act, 2006-07*, Vote 53, Department of Energy, Mines and Resources.

Hon. Mr. Lang: I am pleased to introduce the second reading of the 2006-07 supplementary estimates for the Department of Energy, Mines and Resources. The Department of Energy, Mines and Resources requests \$1,107,000 for the 2006-07 *Supplementary Estimates No. 1*. Of this total, \$307,000 is for the operation and maintenance and \$800,000 is for capital.

Energy, Mines and Resources is continuing to develop Yukon's vast natural resources and contribute to a strong, private sector economy. We are creating a positive investment climate capable of attracting private sector investment, developing regulatory certainty and partnering with First Nation governments.

This budget includes \$150,000 for the Kaska Forest Resources Stewardship Council. These funds provide for Kaska participation in resource planning in southeast Yukon and will result in a forest management plan for southeast Yukon being finalized.

\$412,000 is for planning agricultural land development in the Marshall Creek area just east of Haines Junction. A total of 15 lots are planned for this development with the first six lots expected to be available by lottery in February of 2007. The nine remaining lots will be made available in future offerings. Planning agricultural land development supports the agricultural sector and demonstrates a consistent approach to making land available to all Yukoners.

Within these O&M supplementary estimates, Energy, Mines and Resources has the following revotes: there will be \$65,000 to support major mine projects permitting in the area of environmental assessment, regulatory coordination and reclamation security. As well there is an additional \$46,000 for community consultation work and participation by the Ross River Dena Council and Liard First Nation in the technical review of Yukon Zinc Wolverine project. There will be \$46,000 for completing the oil and gas royalty regulations to provide certainty to the industry.

Within our capital supplementary estimates, Energy, Mines and Resources has the following revotes: there is \$244,000 for forest engineering in the southeast Yukon and in the Dawson City region. These funds are required to identify an interim wood supply in southeast Yukon and help ensure full First Nation involvement in the planning process for the Dawson area. This continues our support of the forest industry and a sustainable community-based approach to forest management.

There will be \$38,000 for forest silviculture to complete the reforestation program near Dawson City and for the silviculture assessment in southeast Yukon.

There will be \$94,000 for participation in the public hearing of the National Energy Board and the Joint Review Panel for the Mackenzie Gas Project. This ensures that the concerns and interests of Yukoners are fully represented in the Mackenzie Valley natural gas pipeline project.

There is another \$32,000 for the Alaska Highway Aboriginal Pipeline Coalition to meet our commitments to the coalition and support the valuable work that is being done.

This supplementary budget will assist this government in achieving a prosperous and diversified Yukon economy.

Thank you, Mr. Chair.

Mr. McRobb: We have 20 minutes left in this sitting. We could maybe get a few questions in if the minister wants to cooperate. Obviously, if he wants to stand up and give another 20-minute speech, we may not get any answers to my first question. Let's test his level of cooperation.

I want to ask him about land. There have been a lot of land issues, some involving this minister. I raised this issue the other day in Question Period. Can he tell us what his plan is to advance land use planning in the territory and the process of land dispositions to try to move beyond these conflicts Yukoners are getting used to?

Hon. Mr. Lang: Land use planning is being done and, hopefully in the new year, we'll be finalizing north Yukon's plan. We're working with the Peel and Snake River plan with the northern community; the Dawson City plan is in the start-up phase.

We are positively working with the Yukon citizens on land planning. Hopefully by the end of next year, we could have two or three of these plans in the final stages.

Mr. McRobb: I thank the minister for the brevity of his answer but not so much for the substance of the answer. On the land use planning, he refers to the mandate of the Yukon Land Use Planning Council and not so much the responsibilities of the lands branch, which is in his department. He particularly avoided any mention of the need for land use planning in areas like the Shallow Bay area and other areas where there are conflicts going on now.

I would like to ask this question again, and I would like to have him comment on what he's doing to advance land use planning in these areas of conflict, especially in the Whitehorse area. Second, I asked about land dispositions. He talks about some lots opening up. I would like to know what changes in the process he will make to avoid these conflicts.

I want him to answer again regarding these two areas of land.

Hon. Mr. Lang: The member must not have been listening yesterday when I did a complete review of how Community Services and Energy, Mines and Resources will go forward with managing land dispositions within the City of Whitehorse.

As far as the land outside the municipality, Energy, Mines and Resources has obligations and we're working in that area. There's pressure on us for agricultural land, and there's pressure for rural residential and for rural recreational. We're addressing all those land issues and moving forward.

We're looking forward to finalizing the land use plans in north Yukon and working so that all eight regions in question are finalized. I am very happy to report that the two in north Yukon are going ahead in a very businesslike fashion. Again, Dawson City is starting up, and the plan is for the commission and the councils to work together to move the land use planning from north to south and eventually cover the whole of the territory. I think the council and the commission have been working very positively, and I think it's going to bear fruit once we have Dawson behind us and we move south of there. Of course, we all know that there are eight regions in the Yukon

and that we have an obligation under the final agreements that we'll work together and get those land use plans out so that we can move forward with managing the land in the Yukon. I think in answer to the member opposite, four years ago, when we as a government took the files over and moved forward, there had been no complete land use plans, and they had been working at them for many governments.

I would like to compliment the commission and the council for their hard work and the government for the aggressiveness that we've been showing the file to we can complete land use planning -- another obligation that this government has -- so that we can plan the dispositions in and around the City of Whitehorse, and in the municipalities. These municipalities outside of Whitehorse have land issues too, so as you see, we have a full plate. I think the government is doing an exceptional job of moving forward. There are challenges, like any other government issue, and as minister I accept that challenge, as I have done for the last four years. I'd like to compliment the staff I have at Energy, Mines and Resources and the land branch. They've done an exceptional job of moving on after devolution.

I will remind everyone that this government, only two and a half years ago, took over the responsibility for our land. I say kudos to the department. As far as the member opposite's concerns about land use planning, we are moving ahead with it as fast as we can and as aggressively as we can. We have to remember that we want to have the best land use plan possible when we leave these areas because we are going to have to work with them down the road. They have to be done well. Everything takes a bit more time than it should but, in the end, north Yukon will have three land use plans that will work for all Yukoners.

Mr. McRobb: If I could use a sports analogy, and particularly in relation to a football game, here we are with about 14 minutes left. We are in hurry-up offence. If there was a referee on the floor, the minister would be called for a time-count violation. Again he reverted to giving advertisements about the good work he and his government are doing and a lot of back-patting instead of sticking to the issues.

Before I leave the area of land use planning, I want to ask the minister if there are any plans to launch a fast-track land use planning unit within his department -- anything to try to resolve these land use disputes around the capital city? Second -- I don't know if I should wait for him to get his instructions from the House leader.

Second, can he give us a year when he feels that the land use plan for the Whitehorse area will be complete?

Hon. Mr. Lang: I am amazed that the member opposite speaks of fast-track land use planning. In other words, we should short-circuit the *Umbrella Final Agreement* and the agreements we have signed with First Nations and how this process should work. This is an open and transparent government. There is a process. If the member opposite thinks you can fast-track land use planning, I am not sure what kind of land use planning would come out at the other end. I am appalled that the member opposite would even mention fast-tracking something as important as land use planning.

We certainly are concerned about the timelines, but we're not prepared to fast-track it, nor short-circuit our agreements with the First Nations. We're doing the job. We're doing the hard work of government. At the end, there's going to be land use plans for eight areas in the Yukon, and that's a commitment that this government makes on the floor here today. There will be no fast-tracking land use planning because of the urgency of the moment. This isn't a knee-jerk government. This government has obligations to a process that we're working with and, at the end of the day, with the results we have in north Yukon on the table today, the system works.

Mr. McRobb: Well, you know, it's almost humorous when you realize what the minister just said. To the Yukon Party -- it seems they cut everybody out of the process and make a decision in the back room, or do nothing at all. There's no middle ground. There's no process of, maybe, a fast response to an issue or an area that's up for development. It's all or nothing with this gang. And I think that's what causes a lot of the problems in the territory -- the government doesn't understand there is a lot of middle ground that could be taken to the benefit of Yukoners, such as responding to areas that need land use planning "in a timely time", as the minister would say.

The minister didn't answer the second part of the question. Rather than just accept it as business as usual, I'm going to have to ask him to try to respond to the question, which was: can he give us a date when he expects the land use plan for the Whitehorse area to be complete?

Hon. Mr. Lang: Again, I listen to the member opposite -- we have obligations in our final agreements, we have a process, and we follow the process. We find that if we start in north Yukon and work south, it's a better land use plan because of the consistency of doing issues that address issues that we did already.

The commission and the council are all working on these issues. I'm not going to put a date on when we'll have the Whitehorse periphery and land use plan, but I'll tell the member opposite that this government has done more work in four years on these land use plans and has produced more product than any other government had done in 10 years, and that is a fact. You only have to look at what the product is.

So when the member opposite talks about fast-tracking because of a certain issue and that, somehow, this government will make a land use plan that doesn't have all the partners and stakeholders at the table, we're not prepared to do that. We're prepared to do the hard work that this government does on a daily basis to get a land use plan in eight of the regions that work for all Yukoners. We've done it; we have two almost finished; a third is on the way and we're confident we'll be looking at massive progress no later than the year 2008 on those three.

We've done our job. The member opposite can stand up and criticize the process, but this government is not prepared to fast-track land use planning because of an issue of the day. We'll do that hard work; the commission and the council will work in their areas; we'll have representation from all stakeholders; we work in partnership with the First Nations in their traditional territory; we're committed to doing that.

We've signed an agreement for the regions. We've agreed on the eight areas; we've agreed on the individuals or makeup of the councils and the commission; we're working on a daily, weekly and monthly basis with them and the product is there. We see product.

I'm very pleased with the groups that are working on north Yukon. I look forward to signing off on those plans and we look forward to moving ahead on the other five areas.

Mr. McRobb: You know, I think this minister might have a career as a stand-up comedian after he is done with politics.

Now I want to switch gears and ask him about the pipeline. The latest news out of the N.W.T. is pretty well that the Mackenzie gas pipeline is in gridlock, and then up in Alaska the news is the former governor -- by the way, if you didn't catch the story today, the new governor is going to list his private jet for sale on eBay, so perhaps our Premier might be interested in bidding on that, because, really, his role model was the former Governor Murkowski from Alaska. Anyway, things in Alaska are changing, and what's the latest on the pipeline? There has been no news out of this minister, and who knows if he is even on tap with this thing or in the pipeline loop. Can he tell us what's the latest inside knowledge about the dates, the timelines -- I know he couldn't answer it last year. Let's give him a chance. It's the end of the year coming up. The new year is not far away. It's time for reflection and everything else. Let's see how he does on this one.

Hon. Mr. Lang: Thank you, Mr. Chair. In answering the question from the member opposite, of course, this government has been very positive in working with Yukoners on the question of pipelines. We have the Mackenzie Valley pipeline, which the member opposite said is in gridlock. I don't believe that, but that is the member's opinion across the floor. They're looking at the environmental overview as we speak today. This government has worked with the NEB to make sure that we are part and parcel of any decisions that are made on that pipeline. We were very aggressive at getting the NEB to do a hearing here in Whitehorse. That was held and was a very positive move on our part, on this government's part, and we are working with the NEB to make sure that anything that happens in the Mackenzie Valley -- that none of our resources will be stranded. It's very important for us as a jurisdiction that we get access not only to the pipeline for our resources but also that we have access north of 60 for employment, for contracting, and all those issues are things that this department has been very positive on, and this government has been acting in a very positive way.

As far as the change of government in Alaska is concerned, that happens in January. It's coming up. They have a new governor. They have a new overview of an idea of what they perceive the Alaska Highway pipeline to be. We are going to have to wait to see what the producers say. This government is not going to make the decision as to whether or not the pipeline will be started. It will be up to the producers to do that.

We will certainly work with any pipeline that comes through our territory. That is why the aboriginal pipeline group is doing their hard work and, of course, the government does

our hard work overseeing what is happening in other jurisdictions. You understand that the Governor of Alaska has responsibilities for the gas because the gas is a natural resource of the State of Alaska. It is very important that the Alaskans get the maximum benefit from that resource. This government respects that and will work with whatever government is in Alaska to make some of the decisions a bit easier for that jurisdiction. In the new year, there will be communication between us and also a visit between us and the Alaskan government so that we can get to know each other and talk about the vision the new governor has with respect to the pipeline.

This pipeline has been an ongoing issue since it was announced in 1978. We are certainly not going to hang our hats on a decision here today on whether the Alaska Highway pipeline in actuality is going to be a finished product.

When the member opposite talks about dates -- it would be irresponsible for any government to mention dates because I don't even have the start-up date.

I respect the Member for Klwane's concerns about his riding because this pipeline would have an impact on his riding. I can ask questions about the pipeline without making dates and commitments -- no government on this side of the border could make those.

We certainly have a partnership now. The Premier has been working with the other jurisdictions, whether it is Alaska, Northwest Territories, B.C. or Alberta, to make sure that we are in the loop on whatever decisions are made. We are kept abreast of what is happening, and I can tell the member opposite that at the moment the government is changing in Alaska and, of course, the new governor will be taking over in January. At the end of that process, we will be contacting the government and quizzing them on what their overview is and what their ideas are for the pipeline and what their dates are.

I imagine the corporate citizens in the business are very interested in getting access to the governor and the new government to see just exactly what her vision is on where she sees the new government would go with this pipeline, understanding that the last governor was very active on the pipeline file and was trying to move it forward.

He wasn't successful so we have to work with the new government and the new Governor of Alaska to make sure that at the end of the day, if we are in any kind of decision-making process, we have a heads-up so we as a government can make decisions, as the member opposite is requesting, and also can at that point give him dates, which he is very fixed on -- start-up dates and, of course, completion dates and dates on things like that. We can't do that without consulting with the other governments that had the issues --

Some Hon. Member: (Inaudible)

Hon. Mr. Lang: Mr. Chair, I have the floor.

Chair: Mr. Lang does have the floor.

Hon. Mr. Lang: Thank you, Mr. Chair.

In answering the question -- the member opposite asked questions about the pipeline and issues around that. The pipeline is a big issue. For me to stand up here and talk for five minutes on a project that big would be folly.

Let's review what I said. I can't give you dates. I am not committing to give you dates. This government is going to work very, very hard and do the hard work to work with our partners in Alaska to get a heads-up on any decisions that are corporately made by the corporate identity, which are the three oil companies that own --

Termination of sitting as per Standing Order 76(1)

Chair: Order please. The time has reached 5:00 p.m., on this, the 12th day of the 2006 fall sitting. Members will be aware that the House gave unanimous consent on November 29, 2006 to this fall sitting closing on today's date.

Also, the House, at that time, agreed by unanimous consent that the provisions of Standing Order 76 should apply on this date in the same fashion as if this closing day had been established pursuant to Standing Order 75. Standing Order 76(1) states: "On the day that the Assembly has reached the maximum number of days allocated for that sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each government bill before Committee that the government House leader directs to be called, shall:

"(a) put the question on any amendment then before the Committee;

"(b) put the question, without debate on amendment, on a motion moved by a minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;

"(c) put the question on a motion moved by a minister that the bill be reported to the Assembly; and

"(d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee."

It is the duty of the Chair to now conduct the business of the Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the government House leader to indicate whether Bill No. 3, the only bill now before the Committee of the Whole, should be called.

Hon. Mr. Cathers: The government directs that Bill No. 3 be called at this time.

Chair: The Committee will now deal with Bill No. 3, *Second Appropriation Act, 2006-07*. The Chair will now recognize Mr. Fentie as the sponsor of Bill No. 3 for the purpose of moving a motion, pursuant to Standing Order 76.(1)(b).

Hon. Mr. Fentie: Mr. Chair, I move

THAT all clauses, schedules and the title of Bill No. 3, entitled *Second Appropriation Act, 2006-07*, be deemed to be read and carried.

Chair: It has been moved by Mr. Fentie

THAT all clauses, schedules and the title of Bill No. 3, entitled, *Second Appropriation Act, 2006-07*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agree.

Some Hon. Members: Disagree.

Chair: I think the ayes have it.

Motion agreed to

On Operation and Maintenance Expenditures
Total Operation and Maintenance Expenditures in the
amount of \$29,017,000 agreed to

On Capital Expenditures
Total Capital Expenditures in the amount of \$76,581,000
agreed to

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Schedule A

Schedule A agreed to

On Schedule B Grants

Schedule B Grants agreed to

On Title

Title agreed to

Hon. Mr. Fentie: I move that you report Bill No. 3 without amendment.

Chair: It has been moved by Mr. Fentie that Bill No. 3 be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agree.

Some Hon. Members: Disagree.

Chair: I think the ayes have it.

Motion agreed to

Chair: As all government bills remaining in Committee of the Whole have now been decided upon, it is my duty to rise and report to the House.

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. Nordick: Mr. Speaker, Committee of the Whole has considered Bill No. 3, entitled *Second Appropriation Act, 2006-07*, and directed me to report it without amendment.

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.

Members will be aware that the House gave unanimous consent on November 29, 2006, to this fall sitting closing on today's date. Also, the House at that time agreed by unanimous consent that the provisions of Standing Order 76 should apply on this date in the same fashion as if this closing day had been established pursuant to Standing Order 75.

Standing Order 76(2)(d) states: "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to the Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall: ...

"(d) with respect to each government bill standing in the Order Paper for third reading and designated to be called by the Government House Leader,

"(i) receive a motion for Third Reading and passage of the bill, and

"(ii) put the question, without debate or amendment, on that motion."

I shall, therefore, ask the government House leader to indicate whether Bill No. 3, the only bill now standing at third reading, should be called.

Hon. Mr. Cathers: Thank you, Mr. Speaker. The government directs that Bill No. 3 be called for third reading at this time.

GOVERNMENT BILLS

Bill No. 3: Third Reading

Clerk: Third reading, Bill No. 3, standing in the name of the Hon. Mr. Fentie.

Hon. Mr. Fentie: My apologies, Mr. Clerk. I know that you are retiring, but I'm not trying to rush you out the door.

I move that Bill No. 3, entitled *Second Appropriation Act, 2006-07*, be now read a third time and do pass.

Speaker: It has been moved by the Premier that Bill No. 3, entitled *Second Appropriation Act, 2006-07*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question.

Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Mr. Clerk, please poll the House.

Hon. Mr. Fentie: Agree.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Kenyon: Agree.

Hon. Mr. Rouble: Agree.

Hon. Mr. Lang: Agree.

Hon. Ms. Horne: Agree.

Hon. Mr. Hart: Agree.

Mr. Nordick: Agree.

Mr. Mitchell: Disagree.

Mr. McRobb: Disagree.

Mr. Elias: Disagree.

Mr. Fairclough: Disagree.

Mr. Inverarity: Disagree.

Mr. Cardiff: Disagree.

Mr. Edzerza: Disagree.

Clerk: Mr. Speaker, the results are nine yea, seven nay.

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

Motion for third reading of Bill No. 3 agreed to

Speaker: I declare that Bill No. 3 has passed this House.

We are now prepared to receive the Commissioner, in her capacity as Lieutenant Governor, to grant assent to the bills which have passed this House.

Commissioner enters the Chamber, announced by the Sergeant-at-Arms

ASSENT TO BILLS

Commissioner: Please be seated.

Speaker: Madam Commissioner, the Assembly has, at its present session, passed certain bills to which in the name and on behalf of the Assembly, I respectfully request your assent.

Clerk: *Act to Amend the Income Tax Act; Fourth Appropriation Act, 2005-06; and Second Appropriation Act, 2006-07.*

Commissioner: I hereby assent to the bills as enumerated by the Clerk.

At this time, I get an opportunity to say a few words as we close for the Christmas season. As we begin the holiday, I wish you all the best. Taking time for family, friends and just to have a rest from the hustle and bustle of the world and this House is so important at all times of the year but it is especially meaningful at Christmas.

There are several events that I would like to remind you of. The first is the 50th anniversary of the Yukon Coat of Arms and I will be hosting a tea in the Government of Yukon cafeteria from 2:00 to 3:30 p.m. on December 20.

As has been the custom, I will be hosting a New Year's Levee on January 1 from 2:00 to 4:00 p.m., again in the Government of Yukon building. I look forward to welcoming in the year 2007 with everyone and to celebrating the accomplishments of many Yukoners. Perhaps I will see you at one or both of these events.

Now, in the spirit of the season, bless you and yours, and Merry Christmas.

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

As the House has reached the maximum number of days permitted for this fall sitting as established pursuant to unanimous consent of the House on November 29, 2006, and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned.

Merry Christmas to you all.

The House adjourned at 5:15 p.m.

The following Sessional Papers were tabled December 13, 2006:

06-1-15

Yukon Human Rights Commission 2005-06 Annual Report (Speaker Staffen)

06-1-16

Yukon Arts Centre 2005-06 Annual Report (Taylor)

06-1-17

Yukon Advisory Council on Women's Issues 2005-06 Annual Report (Taylor)

06-1-18

Yukon Liquor Corporation 2005-06 Annual Report (Kenyon)

The following documents were filed December 13, 2006:

06-1-11

Health Care Insurance Programs, Health Services Branch: Statement of Revenue and Expenditures for fiscal years 1998-99 to 2005-06 (Cathers)

06-1-12

Correctional Redevelopment "Draft" Strategic Plan (Horne)