

Whitehorse, Yukon**Tuesday, May 13, 2008 — 1:00 p.m.**

Speaker: I will now call the House to order. At this time, we will proceed with prayers.

*Prayers***Speaker's statement**

Speaker: Before we begin proceedings today, the Chair would like to make a statement about events that occurred yesterday.

Members will recall that during yesterday's Daily Routine the Leader of the Third Party rose pursuant to Standing Order 28 to request unanimous consent of the House to move a motion of urgent and pressing necessity. The Chair intervened during the course of those remarks. This intervention led the Leader of the Third Party to end his remarks. The House did not grant unanimous consent to the request made by the Leader of the Third Party.

Later yesterday the Chair received a letter from the Leader of the Third Party in which he questioned how the Chair handled this event. The Leader of the Third Party paid particular attention to what he saw as inconsistencies between the ways the Chair handled yesterday's proceeding and those of last Thursday's when the Leader of the Official Opposition rose pursuant to Standing Order 28.

The process for debating a motion of urgent and pressing necessity consists of two parts. The first is the request for unanimous consent. The second is the debate on the substantive motion, should unanimous consent be granted. During the request for unanimous consent the members should confine themselves to explaining to the House why the ordinary business of the House should be set aside for the motion they proposed. They are not to argue the substance of the motion they propose to move.

The reason for this is clear: during the request for unanimous consent only the member making the request is allowed to address the House. As such, the Chair must ensure that the member does not, in effect, debate an issue that other members will not have an opportunity to debate if unanimous consent is not granted.

In reviewing the remarks made by the Leader of the Official Opposition last Thursday, the Chair concluded that certain statements made by that member in requesting unanimous consent would have been more appropriately made during the subsequent debate on the motion itself.

In intervening yesterday, the Chair was not seeking to end the Leader of the Third Party's request for unanimous consent. The Chair was trying to ensure that the member focused his comments on why the matter was one of urgent and pressing necessity, rather than debating the motion itself. Obviously that point was not clearly made and the Leader of the Third Party ended his remarks prematurely.

Members, and others, will draw their own conclusions about whether the Chair's intervention was warranted. There will always be differences of opinion about the application of rules and practices, particularly when the House is dealing with

procedures that are rarely used. The Chair expects this kind of exchange to take place and in fact has had many discussions with members over the years regarding House procedures.

What the Chair did not expect to read in the letter were personal remarks about the Chair, particularly remarks that questioned the Chair's impartiality. Members will appreciate that the Chair is not in a position to respond in kind.

The Chair is, however, in a position to inform the House that criticizing the Chair in this way is not in keeping with accepted parliamentary practice. There are ways of dealing with disputed rulings from the Chair, but a widely circulated letter containing a suggestion of bias is not one of them. As *House of Commons Procedure and Practice* says, "The actions of the Speaker are not to be criticized in debate or by any means except by way of a substantive motion. Such motions have been moved against the Speaker or other presiding officers on rare occasions. Reflections on the character or actions of the Speaker — an allegation of bias, for example — could be taken by the House as breaches of privilege and punished accordingly."

The Leader of the Third Party, and all members, have to keep in mind that the Speaker is elected by the House and is the servant of the House that elected him. When the impartiality of the Chair is questioned, this not only reflects upon the Speaker, but upon all proceedings of the House over which he presides. That is why questions about the impartiality of the Chair are matters for the House to decide, and not for individual members to comment on at will.

Having reviewed the Blues from yesterday, I understand why the Leader of the Third Party feels aggrieved and it was not my intention to limit his debate.

We will now proceed with the Daily Routine.

DAILY ROUTINE

Speaker: Are there any tributes?

TRIBUTES**In recognition of Ryan Sikkes**

Hon. Mr. Rouble: Mr. Speaker, it gives me great pleasure to rise today in this House to recognize the national Distinguished Vice-principal of the Year for 2008, Ryan Sikkes, from Vanier Catholic Secondary School. Mr. Sikkes is here with us in the Assembly today.

This award is presented by the Canadian Association of Principals and sponsored by Herff-Jones.

It is an honour for all of us in Education to have a Yukoner recognized as outstanding by principals across Canada. Yet again, we are seeing recognition of excellence in our schools.

As a member of the Vanier Catholic administrative team, Mr. Sikkes was recognized for leadership in reorganizing the school into professional learning communities to support student learning. That project required gaining the necessary stakeholder support to have the school week restructured to allow time for the teachers to meet with their professional learning communities.

He worked to nurture the faith development of students when he implemented the empathy program at Vanier Catholic

Secondary School as part of the social responsibility school goal.

By implementing the substance-free party at the school as part of the graduation celebration, he provided safe and healthy options for the students to celebrate their achievements. That program has carried on successfully for five years.

Mr. Sikkes is an active and valued member of the Professional Development Committee of the Association of Yukon School Administrators.

In the Yukon/Stikine Regional Science Fair, Ryan served as an organizer, advisor, performer and delegate for the last five years.

In addition to his time as graduation coordinator, he worked with the school to make contributions to local and international charitable causes. He is an active member in the music ministry for the Sacred Heart Roman Catholic Parish, where he also serves as the secretary of the Parish Council and a founding member of the Youth Ministry Committee.

Mr. Speaker, this is not the first award presented to Mr. Sikkes. He was the recipient of the Maxwell Cameron Teaching Award in 2002 from the University of Victoria.

Once again, it's an honour and a privilege to pay tribute to this distinguished vice-principal.

Thank you.

Applause

Speaker: Are there any further tributes?

Introduction of visitors.

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang: I have for tabling the Queen's Printer Agency 2008-09 business plan.

I am also pleased to table today the Yukon Mineral Advisory Board annual report for the year 2006-07.

Speaker: Are there any further documents for tabling?

Reports of committees.

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Yukon government to provide more housing in the communities to accommodate teachers and other eligible Yukon government employees with adequate housing and to upgrade existing housing to acceptable standards so present and potential employees will find living conditions more attractive.

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

THAT this House urges the Yukon government to develop and establish experiential courses on human rights legislation and issues for study in all public schools.

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

THAT Standing Order 11(2) of the Yukon Legislative Assembly be amended to add a provision to the Daily Routine for members' statements, not exceeding four minutes each, immediately following the Ministerial Statement and before Oral Question Period.

I also give notice of the following motion:

THAT the Standing Order 20(1) be amended to read as follows:

"Unless otherwise provided for in these Standing Orders, when the Speaker is in the Chair, no member may speak for more than 10 minutes, with the exception of the mover of a motion and one member from each other party in the Legislative Assembly, speaking in reply immediately thereafter, who may each speak for no more than 20 minutes."

I also give notice of the following motion:

THAT this House urges the Yukon government to develop creative solutions to lessen our reliance on the transportation of food from the south and increase local food security, including extending the master gardener program to every community in the Yukon and introducing school gardens and agricultural curriculum in our schools so that our children are taught how to grow their own food.

Speaker: Are there any further notices of motion?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Climate change action plan

Mr. Elias: Mr. Speaker, yesterday the government released a draft of its long-awaited climate change action plan. I will say that we are very disappointed, because the plan ignores the value of mitigation and suggests very few details in its commitment to action. Passive and fluffy words are all through this Yukon Party climate change action plan, like "monitor", "encourage", "expand", "support existing initiatives", "develop scenarios", "assess risks", "continue to explore", "establish targets", and the list goes on and on. There is no real plan to do anything.

Mr. Speaker, we have waited years for this. I hardly know where to start to ask any questions, because there are so many. Why is this minister now so willing to produce an action plan without enough action?

Hon. Mr. Fentie: It comes as no surprise that the Official Opposition is opposing and criticizing the first ever climate change action plan. By the way, it was to a large degree created by the processes that the government held publicly when we launched our climate change strategy. A tremendous amount of input for this action plan came from First Nations, experts in the field and the Yukon public in general. We are very encouraged by the work to date.

The action plan lays out four specific goals that we will be focusing on. There is a tremendous amount of action taking place in today's Yukon, and more to come, given the framework of our overall climate change action plan. So far, to date,

the Official Opposition has criticized and opposed all those actions. All they have come up with, as the Leader of the Official Opposition alluded to yesterday, is a free bus ride.

Mr. Elias: It seems that the Premier is on his toes; that is good. He should be prepared to stay there, because the Official Opposition is just getting warmed up on this one.

The document definitely has the Yukon Party brand on it, which is a lot of planning and not much doing. Thank goodness it's stamped as a draft. If this is what the minister is proposing to combat global warming and climate change, God help us. For a moment, I thought I saw a glimmer of hope. There's a concept to reduce emissions in the transportation sector. The plan is to offer lower registration fees on fuel-efficient vehicles. Here is the big kicker: they get special licence plates. Wow, we wait six years and the solution all along has been special licence plates?

Does the minister think that lower registration fees and special licence plates are really going to reduce consumption and lessen emissions?

Hon. Mr. Fentie: The member can make light of the input of Yukoners, and we seek that input because it's very important in how we deal with climate change. So the member can make light of that input.

I ask the member opposite: how does the member and his colleagues justify the fact that not only are they criticizing the Yukon public's climate change action plan presented by this government here in this Assembly? How do they justify their opposition and criticism of investments that are reducing thousands of tonnes of CO₂ output into the Yukon atmosphere? They can't justify it. The members opposite are simply out of touch with Yukoners and indeed, out of touch with climate change itself.

Mr. Elias: Well, I'll tell you the fact of the matter, Mr. Speaker, is that we've been getting calls already, saying that this government's new draft action plan did not reflect Yukoners' interests. This action plan is missing the most important thing — action.

Let's go over some facts here. There is no dollar figure attached to this plan. The plan establishes an internal YTG emission target, but there's no road map on how to get there. The plan refuses to set a target for Yukon reducing its greenhouse gas emissions.

Don't get me wrong. The goals and principles of this strategy are good, and there are some good initiatives with regard to adaptation, but there's nothing to make it actually happen and that's not acceptable, Mr. Speaker. Everyone knows mitigation and adaptation must go hand in hand, and it's not in this plan.

Will the minister simply take back this weak document and allow his officials to bring forth a real action plan?

Hon. Mr. Fentie: The government is not going to deviate based on a weak argument coming from the Official Opposition — not at all. In fact, the government is clear in its agenda to deal with climate change, its vision and its plan to do so, both in mitigating measures and ensuring we meet measures for adaptation here in the Yukon and in the north.

To suggest that this plan is not a plan of action is simply missing the whole point. If the members opposite want to take

action, they should get involved in the solutions, instead of being part of the problem as they always are.

Question re: Net metering bill

Mr. McRobb: Yesterday the Environment minister released a plan that did virtually nothing for our environment, then the Energy minister released an energy strategy that's no better — six years in the making, yet the minister's plan does nothing to propel our energy sector forward. His plan is all about study this, study that. Yukoners are tired of waiting years for studies that only sit on a shelf gathering dust. There is, however, one item worthy of attention. The report said the government intends to establish a net metering policy to allow home owners and businesses to connect renewable sources of energy to the grid to reduce their electrical bills.

In the last year, we brought forward a bill to give effect to net metering, but it was twice rejected by this government. Now the minister has a plan and wants to write a policy on it. Why does the minister insist on forcing Yukoners to wait another two or three years for net metering, instead of supporting our bill so that it can happen now?

Hon. Mr. Lang: I'll leave the energy strategy plan up to Yukoners, not the opposition. His net metering concept on the floor here forgot all about consultation, but that's what the Liberals are about, Mr. Speaker: no consultation.

We put the energy strategy plan in front of the House yesterday. We have more consultation to do. Like the Minister of Environment said, why don't the members opposite become part of the solution instead of always being in opposition?

Mr. McRobb: Well, I guess that makes the Yukon Party all about no action, Mr. Speaker.

Now, net metering would benefit our environment. It would put more renewable energy into the grid. It would empower Yukoners to help themselves and their environment. It would open the door to economic opportunities for home owners and the business sector. The bill we brought forward last year and again this spring would do all of that, but this minister, in his infinite wisdom, rejected it — but lo and behold, the proposal has now found its way into the minister's new energy plan. Amazing.

Here's a suggestion for the minister: there's a piece of legislation already on the Order Paper. It has been ready to go for months. It might have already been in effect if he hadn't filibustered it. We don't need to wait another three years. We can launch this good idea now. Will the minister drop his opposition and agree to our net metering bill today?

Hon. Mr. Lang: The answer for the Member for Kluane is that we're not cherry-picking the energy strategy plan for the Yukon. We're going to let the public participate in the final draft. That will come very quickly. Next fall we'll have a final draft to move forward with. Mr. Speaker, this process has been all about Yukoners getting involved in the energy strategy program. The members opposite have been left behind, Mr. Speaker, and that is too bad for Yukoners.

Mr. McRobb: Mr. Speaker, this Yukon Party's "no action plan" seems to put off today what we can do tomorrow. That has been the plan on climate change for six years, and the same approach has been taken to develop this energy policy.

Why implement anything today when we could always wait for tomorrow. Mr. Speaker, this is possible to do tomorrow — literally. Wednesday is opposition private members' day. We can recall our net metering bill tomorrow but not if this minister or one of his Wikipedia friends are going to filibuster it again. We need to know in advance if he will support this important piece of legislation that he now knows Yukoners are demanding. Will he support our net metering bill tomorrow? Yes or no?

Hon. Mr. Lang: Well, Mr. Speaker, absolutely no. I am not going to —

Some Hon. Member: (Inaudible)

Hon. Mr. Lang: Mr. Speaker, I am not going to take advice from the member opposite on energy — the member who voted against the third wheel going into Aishihik, voting against the expansion of hydro between Carmacks and Pelly. Mr. Speaker, these people are stone-age.

Unparliamentary language

Speaker: Order please. I don't believe the terminology "stone-age" is acceptable terminology to describe any member in this House. I ask the honourable member to be careful with his terminology.

Question re: Climate change action plan

Mr. Cardiff: I think we're on a theme here. My question is for the Minister of Environment too. The draft climate change action plan he tabled yesterday is riddled with verbs such as "monitoring", "scoping", "exploring" and "planning", but it's extremely weak on any specific actions to reduce Yukon's greenhouse gas emissions right now and in the immediate future.

Why is there so little action in this so-called action plan when other jurisdictions in Canada and around the world are doing much more to reduce their carbon footprint?

Hon. Mr. Fentie: Surprise, surprise: the third party is criticizing the government's action plan for climate change. That's to be expected, but I challenge the member of the third party to explain to Yukoners — and he has an opportunity here before the camera — how \$15 million of investment in increasing hydro capacity and reducing thousands of tonnes of CO₂ emissions into our air because of the reduction of diesel consumption, is not action.

That's \$15 million, thousands of tonnes of emission reduction of CO₂ — explain to Yukoners how that isn't action. The action the members opposite took is voting against it. They voted against that \$15-million investment to reduce those thousands of tonnes of carbon in the Yukon's atmosphere. They have a lot of explaining to do.

Mr. Cardiff: I'm glad the Premier has one example — that's great — but the minister's standard excuse for doing little — one thing — just doesn't wash. On a per capita basis, Yukoners produce the same amount of carbon from burning fossil fuels as other Canadians do. We have 0.1 percent of Canada's population and we produce 0.1 percent of Canada's greenhouse gas emissions.

Even the minister admitted the other day that global warming is, "...the most significant environmental concern in history..." If that's the case, the government should be leading the

charge in its internal operations instead of promising a fix by 2022.

Why are there only four government departments expected to develop and implement carbon reduction plans, instead of every government department, agency and Crown corporation?

Hon. Mr. Fentie: There you go, Mr. Speaker: another statement that is entirely incorrect.

How does the member justify the myriad of programs that the Yukon Housing Corporation has for energy efficient homes, such as zero-interest loans to renovate and improve energy efficiency in buildings and homes across the territory? That's a corporation. Besides, all significant related departments are involved in climate change. We in this House have demonstrated that time and time again. We have demonstrated that Highways and Public Works is involved. We have demonstrated that the Yukon Energy Corporation is involved, the Yukon Housing Corporation is involved, Education is involved and, of course, the Department of Environment is involved. The list goes on and on. There is action in this territory to deal with climate change. It is major action and it's under this government's watch and this government's leadership, not the members opposite who criticize everything.

Mr. Cardiff: Well, I can guarantee the Premier one thing: we will be watching.

I am going to give the minister a concrete example of something that could be done right now. A few months ago, the NDP caucus did an audit on the number of lights burning, even when there was only one person in the office. The answer was that when we walked in and turned the lights on, 60 fluorescent tubes were burning. We brought in electricians and had them install individual switches in each office. Now, if one of our MLAs or staffers is working late or on the weekend, no more than six lights are burning — three in their office and three safety lights in the general caucus area. It cost us a little bit to do it, but in the long run we are helping solve the problem.

In his role as minister, will he direct the minister responsible for the Property Management Agency to follow that example and install separate switches in all government offices, so that we no longer see whole floors of government buildings lit up when there's no one there?

Hon. Mr. Fentie: Yukoners, and indeed this side of the House, are greatly comforted that the third party is watching. Let me express to the member opposite that there are three distinct parties in this House: the party that makes it happen, the party that watches what happens and the party that wonders what happens. When it comes to climate change, it's the Yukon Party government that's making it happen. I will let Yukoners judge who is watching and who is wondering.

Question re: Highway infrastructure

Mr. Edzerza: In a press release last October, the Minister of Highways and Public Works said, "We must plan and invest in infrastructure that will be vital for the development of the human and economic potentials of the north."

This government's economic development policy involves luring mining companies to extract more and more of the Yukon's mineral wealth. One consequence of this type of de-

velopment will be even more giant ore trucks on our roads and highways.

What is the minister's plan to improve our highway infrastructure to accommodate this heavy mining traffic without compromising public safety?

Hon. Mr. Lang: We as a government say that certainly we are doing just that.

We are spending more than \$30 million over the next three years to bring the Robert Campbell Highway up to standard. We are certainly working on all the rest of our highways or corridors in the territory, making sure they are safe and comfortable for Yukoners to travel, whether there is mining business on the highways or not.

We are looking at the Campbell Highway; we are looking at the North Canol and the South Canol to see what we can do to maximize the safety factors on those corridors.

We are doing it today, and we do it every year as we work on the highway system in the territory.

Mr. Edzerza: I'm sure the minister remembers what it was like back in the days when the ore trucks from Faro were barrelling up and down our highways. Passing or getting passed by a giant ore truck can be terrifying. Sometimes you're taking your life in your own hands on blind hills and turns. For example, the north Klondike Highway, especially between Carmacks and Pelly is very hilly, winding and narrow and there are no shoulders.

With new mines in the Minto area, what is the minister's plan to widen the north Klondike Highway and make other improvements to ensure that Yukoners and tourists are safe?

Hon. Mr. Lang: The new Carmacks silver mine will be coming out of Carmacks, so it won't have a bearing on the Klondike Highway, north of Carmacks. As a government, we have a responsibility to make sure our highways are safe for the travelling public and we'll do just that. As industry grows and as demands grow, we invest in our highway system. We've done it over the last six years and we'll continue doing just that.

Mr. Edzerza: Mr. Speaker, the minister is not up to speed here. There are already ore trucks hauling from the Minto mine area. This government is pouring more than \$30 million into highway improvements in the Premier's riding for a mine that isn't even open, but there are other areas where mining is taking place and ore trucks are already barrelling down the highway and causing motorists grief. The Yukon section of the Atlin road is another example. There have been extensive improvements but this road is hardly designed for the heavy truck traffic that will come with more mining on the B.C. side of the border.

Does the minister have any plans to widen that road or make any other improvements that will keep motorists safe?

Hon. Mr. Lang: I will repeat myself, Mr. Speaker: we're doing just that. We're investing in the Atlin road. We have done in the past and we will in the future. We have committed to the Campbell Highway because of the age of the highway and its condition. We're doing that as we speak.

The member opposite voted against all those investments, but at the end of the day, we're doing the job we were elected to do.

Question re: Fur program

Mr. Elias: The fur trade in Canada contributes approximately \$800 million to our gross domestic product. Nearly \$300 million comes from the fur garment sales, \$25 million from wild fur sales, \$78 million from ranch fur sales, and the balance comes from supported 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, trapping is worth about \$500,000 to \$1 million a year.

In the Northwest Territories, the Genuine Mackenzie Valley Furs program is supported by the Government of the N.W.T.

In the light of the importance of this industry to the Yukon's economy, will the minister take the summer months and develop a Yukon fur program that is similar to the Mackenzie Valley furs program?

Hon. Mr. Fentie: The government has long been very supportive of the fur industry and trappers here in Yukon. We have an extensive policy and obligation that exist under land claims, for example, where there is a percentage of traplines that must be held by First Nations. I can say here today in the House that there is a significant number of traplines in place on Yukon land base. Unfortunately, some aren't in operation, but we continue to work with the Yukon Trappers Association, First Nations, and renewable resource councils on the matter. Of course, much of this is dictated by global markets, but we see trapping as a very important part of the Yukon's culture, fabric and economy.

Mr. Elias: If it's so important to the minister, then I encourage him to answer the question.

Our trapping industry is slowly dying. A program similar to the Genuine Mackenzie Valley Fur program could be the solution to saving Yukon's oldest industry. The role of the Yukon government could be to directly support and maintain trapping as a viable activity within the traditional economy by stabilizing the industry, increasing the number of trappers, increasing the fur volumes and strengthening trappers' skills. Some of the objectives could be to increase financial returns to the trappers, promote and recognize excellence in the fur harvesting and pelt handling, encourage the participation of our youth, and be market responsive and market driven.

Will the minister commit to develop a Yukon fur program, so that trappers can access it before the next trapping season?

Hon. Mr. Kenyon: I am really pleased to hear that he supports programs like this and would very much encourage him to do a little bit better research and discover the Yukon Gold Soft Fur program, which has been in existence for years before the Mackenzie program.

The Yukon Trappers Association has worked in conjunction with both Nunavut and Northwest Territories trapping associations to share booths with the NAFFEM in Montreal. We have also funded other programs outside of Canada to promote the Yukon Gold Soft Fur program. I believe this predates the

Mackenzie program. I am very glad to hear that he supports it and would encourage him to actually do the research to find out that we've had it for years.

Mr. Elias: I would like to correct the member opposite. It is called Klondike Soft Gold, not Yukon Soft Gold. Maybe he should do his research a little better.

At the drop of a hat the minister will approve \$700,000 to the Yukon mining incentives program and we support that, yet the government won't commit to helping our stagnant trapping industry. My intent here is to ensure that the trapper always wins and to truly diversify and strengthen our Yukon economy. We have 334 traplines and 17 group trapping areas in the Yukon. We cannot put a value on the skills, abilities and knowledge of Yukoners, who know the land like the back of their hand. Believe me, they are becoming few and far between, these days. Such a program would bode well for our environment, because Yukoners are our eyes and ears out on the land.

Will the minister commit to enhancing and supporting our Yukon trapping industry by developing a made-in-Yukon fur program?

Hon. Mr. Fentie: As the Minister of Economic Development pointed out, because trapping is a significant component of our diversifying economy, we already have a program and we're doing much more in working with the Yukon Trappers Association and the industry — in training, for example. Much is being done here in the Yukon when it comes to trapping and we don't take second place to other jurisdictions when it comes to trapping. We have made-in-Yukon initiatives here for our trapping industry and we'll continue to build on those.

I'm pleased to see the Member for Vuntut Gwitchin supports trapping and recognizes that it's part of diversifying our economy. That's a good sign coming from the Official Opposition, who are quite limited in constructive debate.

Question re: SCAN Act success

Mr. Inverarity: A year ago, the Minister of Justice announced some \$400,000 for capital and operations costs for the SCAN program. The minister said at the time that this is money well-spent, because it is helping Yukon communities address the impact of drug trafficking and bootlegging.

On Thursday last week, this minister responded to a question with, "I can assure this Assembly and the member opposite that SCAN is effective and it is working." A notorious drug house was shut down a year ago and the minister says the SCAN program is effective and it is working. The same drug house is back in business, and the minister says SCAN is effective and is working. How can the minister insist the SCAN program is working when the first drug house that was closed is now back in business?

Hon. Ms. Horne: It's obvious the opposition's *raison d'être* is to complain and criticize. I reiterate that SCAN is effective; it is working in the Yukon. Yukoners are happy with this new legislation, which was passed in this House by full consent of all members.

We don't follow people, we follow complaints, and I will not stoop to comment on a location in this House.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Kluane, on a point of order.

Mr. McRobb: On a point of order, I allowed the minister to complete what she had to say; however, I believe it's contrary to House rules to essentially say that the purpose, the reason for being, the *raison d'être* for the Official Opposition, is to complain and criticize.

Some Hon. Member: (Inaudible)

Mr. McRobb: While the members find this amusing, these words have been ruled out in the past and I ask on behalf of the opposition parties for a little consistency today.

Speaker: On the point of order.

Hon. Mr. Cathers: On the point of order, the Minister of Justice was simply stating the facts as she sees them.

Speaker: On the point of order.

Hon. Mr. Kenyon: On the point of order, we do appreciate the Member for Kluane allowing the Minister of Justice to complete what she had to say and, therefore, it really could not be a very serious point of order.

Speaker's statement

Speaker: I think what the Chair is going to have to do is beg the House's indulgence to review this very complicated point of order. I will report back to the House tomorrow. Thank you.

You have the floor, Member for Porter Creek South.

Mr. Inverarity: A year ago, this minister told Yukoners the SCAN legislation has proven effective and popular in addressing harmful activities in Whitehorse neighbourhoods. Last week, the minister told Yukoners the SCAN legislation is "...one of the enforcement tools we are using to deliver on our commitment to Yukoners to achieve a better quality of life in the Yukon."

The truth about this government's commitment to achieve a better quality of life can be found in the downtown drug house. It's back in business. Residents there already did the hard work of trying to get rid of this criminal activity in the neighbourhood, and this government's partial solution is back in business.

Is the Justice minister going to take some action to shut down this illegal activity or simply wash her hands of it and force the residents to engage in the SCAN process all over again just to get the same results?

Hon. Ms. Horne: Again, I reiterate that SCAN is a perfect example of collaboration between the RCMP and the SCAN officers. It is effective in the Yukon. We do not follow locations or people, we follow complaints. If a complaint is placed on a location in the Yukon, SCAN reacts.

The minister doesn't put a taser gun in her holster and go down and close the locations. That is left up to the SCAN officers. I again give members how effective SCAN is. As of February 29, the office has received 160 separate complaints about activities in 92 locations. Investigation of these complaints has resulted in 17 evictions and one warning under the act. Residents are voluntarily ceasing their illegal activities. I would say this is very effective. Yukoners are very happy with SCAN.

They feel safer in their communities, in their homes, in their neighbourhoods, and with their children on the streets.

Mr. Inverarity: I think, Mr. Speaker, she should get down on the streets and see what is going on, because they are back in business — all you have to do is go downtown and see. This issue keeps coming back because it is not yet resolved. Last week, the minister told Yukoners, “When we brought this legislation into effect, our goal was to shut down the activities that cause social disorder. We are doing that. SCAN legislation is doing just that.” We heard it again today. Sure it does it — SCAN shuts them down and then lets them start right back up again. It’s not effective; it’s flawed. The minister also said that “Yukoners feel safe and happier in their homes and communities because of SCAN. They have told me personally that they feel safer.”

Well, the minister has obviously not talked to these residents. They don’t feel happy. They don’t feel safe. They feel concerned and most of all, they feel betrayed. What is the minister going to do to correct this obvious flaw in the SCAN legislation?

Hon. Ms. Horne: In weighing these options, I would say SCAN doesn’t need fixing; it’s the opposition that needs fixing.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members’ business

Mr. Cardiff: Pursuant to Standing Order 14.2.(3), I would like to inform the House that the third party does not wish to identify any items to be called on Wednesday, May 14, under Opposition Private Members’ Business in order to facilitate fuller debate on the budget and legislation remaining.

Mr. McRobb: Pursuant to Standing Order 14.2.(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, May 14, 2008. It is Bill No. 106, standing in the name of the Member for Kluane.

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

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 457

Clerk: Motion No. 457, standing in the name of the Hon. Mr. Fentie.

Speaker: It is moved by the Premier

THAT, pursuant to section 18 of the *Conflict of Interest (Members and Ministers) Act*, the Legislative Assembly reappoint David Phillip Jones, Q.C., as a member of the Conflict of Interest Commission for a three-year period.

Hon. Mr. Fentie: Mr. Speaker, I am pleased today to be moving the motion for the reappointment of the Conflict of Interest Commissioner.

Members will be aware that the appointment of David Jones expires May 2008. Mr. Jones was appointed as a member of the Conflict of Interest Commission in May 2002 and was reappointed for a further three-year term in May 2005. I am sure all members will recognize the services provided to this Assembly and to the Yukon during his time in office.

Since a member of the Conflict of Interest Commission is a House officer, the practice has been for the Members’ Services Board to determine who should be recommended to the Assembly to fill this position. The Members’ Services Board is chaired by the Speaker and has, in its membership, all leaders in this House, including the Leader of the Official Opposition, the Leader of the Third Party and me.

I’m very pleased today to inform the House that the board has reached unanimous agreement in recommending Mr. David Jones to the Assembly for reappointment as a member of the Conflict of Interest Commission. Although the motion for his reappointment is being brought forward as a government motion, it must be stated for the record that it is being done to permit the House to deal with the matter more quickly. It must be understood that the motion is being made on behalf of all members of the Members’ Services Board and that this is a House initiative and not a government initiative.

Mr. Mitchell: As the Premier has outlined, this was discussed by the Members’ Services Board and this is a unanimous motion of all three parties, and we therefore obviously support the motion to reappoint Mr. Jones as Conflicts Commissioner.

Mr. Hardy: It has been said twice: we all support it. We have come together once again unanimously to do something for the betterment of the territory, and I’m proud of that moment — after what we’ve gone through many times.

However, I would like to make one point: I met with Mr. Jones and it was in regard to comments I had made in the Legislative Assembly earlier this sitting, which were based around the job description scope and the history of the rulings we have witnessed in the Legislative Assembly over many years. Recommendations have been brought forward in the past to review the whole job description scope and update it, get it in line with the rest of Canada and, if anything, even take it a little bit further than that.

He was very interested in that and I left that meeting with the feeling that he would be very happy to work on something like that for the Legislative Assembly so we have a current and updated scope of definitions and descriptions under which he can work to ensure he has the capacity to do a better job — than he has in the past.

Speaker: Before putting the question, the Chair must draw members’ attention to section 18(4) of the *Conflict of Interest (Members and Ministers) Act*. That section requires that a motion of appointing a Conflict of Interest Commissioner must be supported by at least two-thirds of the Members of the Legislative Assembly present for the vote.

In order to ensure that the requirements of section 18 of the *Conflict of Interest (Members and Ministers) Act* are met, the Chair will now call for recorded division.

Division

Speaker: 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: Agree.

Mr. McRobb: Agree.

Mr. Elias: Agree.

Mr. Fairclough: Agree.

Mr. Inverarity: Agree.

Mr. Hardy: Agree.

Mr. Cardiff: Agree.

Mr. Edzerza: Agree.

Clerk: Mr. Speaker, the results are 17 yea, nil nay.

Speaker: I declare the motion carried by the required support of two thirds of the Members of the Legislative Assembly present for the vote and that David Phillip Jones has been now reappointed as Conflict of Interest Commissioner.

Motion No. 457 agreed to

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 (Mr. Nordick): Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 11, *First Appropriation Act, 2008-09*, Department of Community Services.

Do members wish to take a brief recess?

Some Hon. Members: Agreed.

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

Recess

Chair: Committee of the Whole will now come to order. The matter before the Committee is Bill No. 11, *First Appropriation Act, 2008-09*, Department of Community Services.

Bill No. 11 — *First Appropriation Act, 2008-09* — continued

Department of Community Services — *continued*

Hon. Mr. Hart: I would like to take a few moments to touch on some of the items that we discussed yesterday. I have some information with regard to the comprehensive municipal grant that we discussed and I think it may provide some clarity for the members opposite.

There are some key items in relation to the comprehensive municipal grant, or CMG. All municipalities received more funds through the CMG in 2008 than they would have if there was no increase applied. All municipal grants are calculated with the exact same consideration and the CMG is distributed by the set formula that is legislated in the *Municipal Finance and Community Grants Act*.

When a municipality realizes a significant change in the variable factors of calculation — assessment values, for example — it is expected that the CMG would be redistributed accordingly. The Village of Carmacks, for example, had a significant increase in assessment values, mainly as a result of the new Tantalus School. Assessment values increased by approximately \$4.2 million and an overall CMG was distributed accordingly.

The increase in assessment enables the municipality to realize more revenue through taxation, and the municipality therefore receives less funding through the distribution of the CMG and an increase in grants instead of taxes.

In total the Village of Carmacks received a net increase of nearly \$40,000 in combined grants instead of taxes and the CMG.

If the increases were not applied in 2008, Carmacks would have received approximately \$827,500. With the increase, in 2008, the village will receive \$876,700, or nearly \$50,000 more.

The village did realize a reduction of \$12,000 from the previous year, but this is a factor of the legislative formula, as noted above. This reduction was regained through the increase in grants instead of taxes.

The *Municipal Finance and Community Grants Act* provides the Yukon government with the authority to pay for grants instead of taxes and to provide a comprehensive municipal grant to municipal governments in the Yukon. The CMGs were implemented under the act in 1991 at \$11.47 million.

The CMG's base grant was increased by one percent in 1999 and a further two percent in 2000. In 2004 and 2005, at the request of the AYC, the Yukon equalized the base grants of Carmacks, Haines Junction, Mayo and Teslin to \$650,000.

The City of Whitehorse receives \$1 million as its base. The remaining dollars are distributed as per the formula set out in the *Municipal Finance and Community Grants Act*. The first significant increase to the overall CMG fund was made by this government on April 1, 2008. The fund will continue to grow by \$807,500 every year until 2012. In 2007, the fund was set at \$12,538,000. By 2012, the fund will be more than \$16.5 million. The total CMGs over the year from 2002 to 2012 — as I indicated, in 2002 the total was \$11,816,000, and we are projecting \$16,576,000 by the year 2012 or 2013.

The CMG is calculated. The formula is legislated, as I said previously, under the *Municipal Finance and Community Grants Act*. Four main factors determine the distribution of the total CMG. The components are the base, the assessment equalization, and the local costs of services adjustment, population and dwelling units.

At the request of the Association of Yukon Communities, amendments were made to the act in 2003 to equalize the base grants of all municipalities except Whitehorse.

The increase was phased in over the 2004-05 and 2005-06 periods. The base grants for Carmacks, Haines Junction, Mayo and Teslin were equalized to those of Dawson, Faro and Watson Lake.

The current base grant for Whitehorse is \$1 million, Carmacks is \$650,000, Haines Junction is \$650,000, Teslin is \$650,000, Watson Lake is \$650,000, Mayo is \$650,000, Faro is \$650,000, and Dawson City is \$650,000. The total of that is \$5.5 million.

The formula for the distribution and the assessment of equalization considers assessment values in the terms of the following: the amount by which average assessments in the municipality differ from those in the rest of the territory and the gross number of residential units.

Communities receive a stipend for every dwelling within municipal boundaries, if their property value is less than the territorial average. The lower the property values in a given community, the higher the stipend per dwelling.

When assessment values increase significantly in a municipality, thereby increasing the municipal government's ability to raise revenue through taxation, the formula for CMG would redistribute funds to the municipalities with greater need.

For the distribution of the CMG, local cost of service adjustments — this allocation is designed to recognize the relative cost of fuel, electricity and overall price index. This part of the CMG is a relatively small portion of municipal funding. The value of local cost of service adjustment is the product of the population percentage of the municipality times a total CMG amount times the amount the municipal price index differs from Whitehorse, since Whitehorse is always equal to 100.

The municipal price index is value produced by the Bureau of Statistics.

The formula for the distribution of CMG to the remainder of the population and dwelling units — after the other components of the grant have been provided for, the remainder is split and a portion is based on population and dwelling units. Half the balance is to be distributed by paying each municipality a percentage of half that is equivalent to the percentage of that municipality's population compared to all municipalities. The other half of the balance is to be distributed based on the percentage of the dwelling units.

In general, the principle behind this component of the CMG is that the more dwellings and people the municipality must service, the higher the cost of delivering those services.

I have several other issues with regard to grants-in-lieu of taxes and the actual changes to the CMG, but to avoid any further delay, I will provide the members opposite with a copy of

those, rather than going through them here, and go forth with further questions.

Mr. Fairclough: I thank the minister for doing that. We will accept information as it is given by paper rather than it being read out in the House. I only have a couple more questions. One is in regard to Hamilton Boulevard. During Question Period, the minister said that the blasting was stopped. I would like to know about the timelines of this project being completed.

How much delay will take place because of this move? Is it on budget? Will it be on time? While he's answering those questions, could he also answer who is liable for damages to property and to people — bystanders for example — who are not on the contract but in the houses close by. Is it the government, because this is a government contract, or is it the contractor?

Hon. Mr. Hart: For the member opposite, with regard to the Hamilton Boulevard extension, as I stated in the House, we are awaiting the arrival of the independent expert to do the evaluation of the Hamilton Boulevard area where the blasting took place so he can do an assessment of what the process was, what went wrong and what has to be done in the future, in conjunction with Occupational Health and Safety. Once that inspection is complete, we anticipate holding a public meeting with those directly involved, mainly the Lobird Trailer Park residents, involving OH&S and possibly Health and Social Services to assist in providing the residents of Lobird Trailer Park with how we're going to try to ensure the safety of all the residents during the remainder of the project.

As to the timing of the project, I can advise the member opposite that we are currently on budget. Right now, we are still on time as far as the schedule goes, because currently the contractor is doing other work on the project site, pending the review. Of course, it depends on how long it takes for the expert to do his assessment, along with Occupational Health and Safety — who I might add is working with us — utilizing the same expert they have agreed to. In the matter of trying to ensure that we have the same expert and moving along on this project, they have been very helpful to us on this issue. We look forward to the results of that from this expert — to provide us with, for example, how the process will continue in the future and what is going to be done to prevent it from happening again. Again, that's going to be something that will be worked on in conjunction with Occupational Health and Safety, us and the contractor who is working on the project.

Mr. Fairclough: I thank the minister for that answer. He didn't answer the question about who is liable for the damage to buildings as a result of this blast. Is it the contractor or is it the government? I know that the minister said he is waiting for the arrival of this independent inspector. The minister must know when this person is going to arrive. He must know from the department approximately how long this inspection will take. Can he answer those two questions?

Hon. Mr. Hart: We are anticipating that our expert will arrive sometime today and will get out there. Again, I'm not an expert in the field. I am not an engineer or an explosives expert of any kind. I have been advised that it may not take too

long, but he will determine that. Regardless of the situation, we will work with the residents out there. Currently, the contractor is in control of the project. The contractor is responsible for the operations within that contract.

Mr. Fairclough: Does that mean the contractor is then liable for all the damages taking place as a result of this contract, as far as buildings and personal injury off the work premises?

Hon. Mr. Hart: Mr. Chair, I'm not in a position to discuss or provide that particular information to the member opposite. I believe that's a discussion that would have to be made and a decision provided by the court with regard to possible liability with regard to the job itself. I can remind the member opposite this is why the contractor has bonding in effect: to deal with this situation. I'm sure he has been in contact with his insurance company on this issue.

Mr. Fairclough: Is it that the department doesn't know or are we in court presently and the decision has to be made there? I would just like the minister to clarify that.

Hon. Mr. Hart: We believe this is an issue that is to be dealt with directly between the contractor and the residents involved. As such, if an agreement or an arrangement is not made with that process, then the residents have the ability to go to court and deal with the situation through that process, in conjunction with the contractor's bonding company.

Mr. Fairclough: I thank the minister for his answer.

I have talked to some ambulance attendants over a number of years and recently they've been trying to put together a bursary for establishing permanent paramedic training at Yukon College. This issue is coming out of rural Yukon because this training is not offered to them, but only offered to the paramedics and ambulance attendants here in Whitehorse.

They do have money available for this budget. Together, over the last couple of years, they have put \$60,000 through their bursary — so that's \$120,000 they have and can put toward this training. They're asking government for more help to ensure our ambulance attendants have this advanced training outside of Whitehorse.

They wanted a government answer by May 15, which is not very far away, because they need to put this together. Has the department talked with the rural ambulance attendants? What interest is there to provide this type of training for all ambulance attendants across the territory?

Hon. Mr. Hart: With regard to paramedic training, we do provide a bursary for training of up to \$60,000 for our attendants who have their EMR training to upgrade their tickets through that process, and we are in the process of working with those outside of Whitehorse on those issues. We are also working with them to determine how best to deliver this training. The cost to put on the course at the college is fairly expensive, so right now we're looking at our options of what would be available and what would be the best bang for our dollar, so to speak, as well as for those individuals taking the course.

We're working with them. We have just taken on this group with our department. We've had reasonably good negotiations with our EMS people, as well as all the volunteers

throughout the rural areas, and I'm very encouraged by what has been brought forth from the rural areas.

I've investigated many of the sites they are working in and we're looking at ways to enhance or improve the facilities in which many of them work, in addition to the standby fee, which has been provided to them.

Mr. Fairclough: Mr. Chair, we are interested in the results of these negotiations. The minister said that he's encouraged by what has been brought forward. To date, we haven't seen any of that. I know the issue that the rural ambulance attendants have is that, for those who want this advanced training, it costs about \$15,000 per person, and this training does not take place here in the territory. This is what they are trying to do: bring it back to Yukon and have it available so that all ambulance attendants can have this advanced training. I ask the minister to continue to look into this matter. It is an issue of importance and the timeline that has been suggested in a letter and by the people I've talked to, is that May 15 — which is not very far from now — seems to be a deadline. If there is a no go on the government's part, then we will not see this type of training developed for the rural ambulance attendants at Yukon College. It is really important that it does get looked into with a lot of priority. If these findings haven't been communicated to them through negotiations, which I believe they are a part of, they should be.

Hon. Mr. Hart: I thank the member opposite for his comments with regard to EMS and the training aspect. As I stated, we are working on the situation and we're looking at what our opportunities are with regard to training. Our big focus right now is to concentrate on our PCPs in our specific areas — that being Watson Lake and Dawson City, which we have already completed by filling it with the appropriate staff and complemented with volunteers. The other aspect is to ensure that all of the volunteer staff have EMR standing and qualify for the minimum as a volunteer ambulance person. So we're in that process; we're dealing with those situations. But with regard to something happening on May 15, I guess I can probably advise the member opposite that it is not on my horizon for May 15 because of the cost involved in dealing with the college at the current time. And as I stated, we're looking at the options and trying to deal with it. This kind of training is very expensive and thus requires us to do more diligent work on where it is going to go.

Mr. Fairclough: I thank the minister for that answer. I am sure they will be looking at the comments from the minister on-line in *Hansard* and I will also forward the message to them. At this point, because of time and because so much of the department has to be debated, I would like to turn this over to the third party for further questions.

Mr. Cardiff: Thank you for affording me some time this afternoon to ask some of the questions.

The minister, in his earlier remarks, mentioned that they had put a standby honorarium in place for EMS community volunteers in recognition of the fact that they are required to basically stand by. They carry radios and they have to stay in the community's proximity to receive calls and respond at a moment's notice. I am wondering if the minister could tell us

the annual cost of compensating EMS on call and raising that stipend to the chief medics and the volunteer ambulance. Does he have that figure?

Hon. Mr. Hart: I don't have the exact number in front of me and I don't want to quote something that is out of whack. I will endeavour to dig the information out with regard to the actual standby costs.

Mr. Cardiff: I thank the minister for that answer and look forward to receiving that response. I sent the minister a note yesterday. I am trusting that the responses he promises me will be delivered to the Official Opposition and that, likewise, I will receive the responses as well.

I also had a question very similar to that of the Member for Mayo-Tatchun about the training. I think it's important the minister take a serious look at this. I could quote the minister's comments about the people who are working in this industry — that they are compassionate, caring and sincerely want to help. Those are the minister's words. That is why they are looking for the training. I would encourage the minister to look into the training.

It's also my understanding — the Member for Mayo-Tatchun brought it to my attention — that when these volunteers are called out, called away from work, they don't get a paycheque. I don't know the details of it, but apparently there is a problem with the expediency with which these volunteers are being compensated.

It's great that they are being compensated when they are on call, but when they get called out, apparently there is a delay in them receiving their honoraria or their pay for being called out.

I am just wondering if the minister is aware of that and if something is being done to remedy that.

Hon. Mr. Hart: I am not aware of any delays with regard to pay to EMS staff; however, if the member opposite has a specific issue, I would request that he submit it to us and we'll look into it.

I will state, though, that any volunteer who is a government employee gets paid under the government pay period.

Mr. Cardiff: I think it was more the volunteers, that it was taking time for them — and the problem is that you volunteer and you are taken away from your substantive work, and you don't get paid and it takes awhile in order to get reimbursed for the work that you have missed.

I would like to stay kind of in the same vein with the minister with regard to volunteers and emergency services. I think that the minister also mentioned the fact that EMS is new to Community Services, but they have had responsibility for volunteer fire departments for a number of years.

There is a new issue out there — actually, it's not that new. I have raised this issue with the minister before, but it has come to light again recently, and that is the issue of volunteer fire departments and the fact that they are volunteers and that they only get paid so much for being called out, and they only get paid so much for training. I can't remember, I don't have the figures in front of me, but I know that it does not cover off all of the duties.

Now there are some added responsibilities with regard to adhering to the new OH&S regulations. It's about servicing the equipment; it's about maintaining and ensuring that everything is logged — everything is documented and submitted.

It's my understanding that some of the equipment has to be checked once a week. Volunteers are there to respond to an emergency. They're there to go to the training sessions so they can respond. The fire chiefs are there to supervise the training and make sure their volunteers are ready to go, but there isn't enough capacity in volunteer fire departments in order to meet the administrative overload in adhering to the new OH&S regulations.

I suggested some solutions to this to the minister — it could be a full-time administrative person in communities. In some communities they could assist volunteer fire departments with some of this paperwork and bureaucratic overload, so they can concentrate on what their real duties are. The minister didn't say whether or not he would take that under advisement.

Is the minister prepared to sit down with the Association of Yukon Fire Chiefs to discuss their concerns? One is the administrative overload in adhering to the OH&S regulations. There are some liability issues out there as well. The other thing would be compensation on par with the ambulance volunteers in terms of offering on-call pay to them and maybe a raise in the monthly stipend for fire chiefs.

This is in light of recent comments — I know the minister heard them loud and clear — that some of the volunteer firefighters or fire chiefs might not be able to do their job and they may have to resign.

I'm just wondering if he would follow the example of his colleague — the Minister of Health and Social Services — and would he be hiring professional firefighters to backfill those volunteer positions?

Hon. Mr. Hart: For the member opposite, with regard to the many questions he was on about previously, of course the Yukon government is very concerned with the health and safety of our Yukon emergency responders and that includes our volunteer fire departments. The member opposite indicated that we've been in charge of that process for some time. I will also advise that I have met with the fire chiefs on a couple of occasions, and I've even offered to bring the occupational health and safety people to their association AGM in Dawson to discuss the situation with them so that they would make life a lot easier for them. We've also had very amicable arrangements with Occupational Health and Safety on the requirements of our volunteer fire departments.

I will state, for the member opposite, that the fire marshal has secured a plan that has been approved by Occupational Health and Safety on our program for how we plan to achieve meeting the occupational health and safety conditions over a period of time, and they have accepted that process that we have provided to them. We have also made this plan available to the municipalities, if they wish to use that template, so that the municipalities can achieve the same reciprocity with Occupational Health and Safety.

As the member stated, we're always willing to discuss the matter with our fire chiefs and, as I stated, I have been at many

of the meetings — I think I've missed but one of their meetings with regard to their concerns — and it has always been a very cordial and sometimes demanding process. In essence, in general, we've been able to see eye to eye on almost all issues with regard to their concerns.

In Dawson, the year before, we were asked to look at their situations. We did; we went out and consulted with the fire chiefs on their issues. With regard to many of their issues, we looked at their concerns. With regard to liability, we already discussed that with our fire marshal. The Government of Yukon is more than prepared to stand behind all the volunteers that are involved. The municipalities also have that same ability and the City of Whitehorse has already done that in dealing with the situation. It is to avoid the circumstances that happened in the Northwest Territories with regard to a couple of volunteer firemen there.

I will state that we are doing our best in our assessments in dealing with training to ensure that all our volunteer firemen get the training that's necessary as identified by the fire chief in that area. Not everyone is required to do all the items. It depends on what the person wants to do in that particular fire hall. We are making available all the training that we can. We are covering the costs to make that happen. It's a very important issue. We also have to, from time to time, go out to some locations where in the past we haven't had any volunteer fire departments. We have a brand new fire truck and nobody to turn the lights on. For many of those locations we have worked out a situation recently with EMS' reorganization. We are working in some of the smaller areas and combining, for example, two forces, so that we have one. It's working out to be very successful.

I am very happy with the legwork that is being done by our committee with regard to our first responders. It has been very good. We have had a few struggles in trying to ascertain exactly what we do and do not have, but we are in the process of doing an assessment of what we have for equipment. In addition, working with our EMS people, we are looking at all of our first responders. We are looking at a maintenance and repair schedule that will see a dedicated individual going forward throughout the communities on an annual basis, doing the necessary checks, whether on the fire truck, ambulance, tanker or whatever piece of equipment needs a mechanic. That is going to be handled through that process.

We are in the process of dealing with it on a consistent basis, and that is to ensure that no community is left without some sort of emergency equipment or vehicle, in order to assist during a time of emergency.

We're also looking at providing a mobile unit. So, if a unit has to be brought in for some major repairs and is brought into Whitehorse, we would substitute a vehicle to that community until such time as the repairs are completed, if it requires some major work. For the actual maintenance and everyday stuff, a schedule will be put into place for that to deal with all our emergency response vehicles. We intend to bring that forward by this fall, to ensure it's ready in time for this year. That is one of our intents: to ensure all our emergency response teams are

ready to go when the time comes and when the community needs their services.

Mr. Cardiff: Can the minister tell me if he's looking at compensation on par with ambulance volunteers in terms of offering on-call pay and possibly a raise to the monthly stipend for fire chiefs?

Hon. Mr. Hart: With regard to that, EMS is required to be on standby, so that fee is provided and it's being pro-rated over the next couple of years, and also on an increased basis.

With regard to the stipend for fire chiefs, currently it's the highest in Canada. We increased the rates to all our volunteer fire departments in 2004, and that increase was at the request of our wildland fire people, as well as our volunteers. Again, that issue was brought up and many of the fire chiefs indicated to us it wasn't enough, based on the paperwork. But right now, if you go out to a fire department and you're on call, you're paid \$20 an hour.

Mr. Cardiff: The minister missed it. So I'm going to go on to the Golden Horn fire hall. Now there is money in the budget for the Golden Horn fire hall — I believe it is about \$880,000 or something in that neighbourhood. My concern, Mr. Chair, is that this has been a long time coming. Last fall I was told that this project would be tendered in January — in fact, they delayed the project last fiscal year so that they could tender it in January and take advantage of this year's construction season. Can the minister tell me — we were told that the tender documents would be out in May — when are they going to be out? What is the status of that? Can he tell the volunteers of the Golden Horn fire hall when they might expect that new building, because this is another occupational health and safety issue?

Hon. Mr. Hart: I too am waiting for this fire hall to be built. In fact, I purposely went out and had money spent on it last year to clear the place so at least it would look like we were making some movement on the process. I anticipate we'll have the tender out and be under operation in May.

Mr. Cardiff: Last year they were promised it would be ready for the fall, so I guess we'll just keep moving on.

That is all the questions I have in that area at this time. I would like to ask the minister — there is money in the budget for infrastructure for water lines — \$1.7 million in Takhini North. I'm just wondering whether or not any of this money is going to be of assistance to residents. There are 86 residents and the money is going to the City of Whitehorse but there is a pretty heavy cost to the residents of Takhini North, and I'm just wondering if there is any plan to use any of that money that it is budgeted to help offset the cost for residents and how that would work?

Hon. Mr. Hart: The money in the budget is being addressed under MRIF, and it's a City of Whitehorse project in which they are the project manager.

Mr. Cardiff: Okay. So the minister doesn't know whether or not that's going to help offset the cost for residents.

I had some other questions regarding the MRIF. \$3.6 million is unallocated in the MRIF. The minister indicated in some of his remarks that there was a decision that would be forthcoming shortly. I actually thought he said they were going to

meet shortly. In the briefing that was provided to us, we were told that the meeting was going to take place on March 27 and that the money would be allocated soon.

Does the minister have an update as to where that \$3.6 million in the MRIF is going?

Hon. Mr. Hart: We anticipate a final decision sometime at the end of this month or the first of next month with regard to the allocation of our funding. Again, this is an issue dealing with the federal government in trying to arrange time so that we can get things done.

Mr. Cardiff: I thank the minister for that. I may come back to some other questions in that area.

Recently we asked this question of the minister in Question Period, and I don't believe we got a satisfactory answer. Manitoba has recently enacted a law to protect consumers from what's known as "payday loan" companies. In Manitoba they needed the legislation. They wanted to introduce a regulatory framework for that industry. They need to have a designation by the federal government.

It's the federal government that would normally set those interest rates — the maximum interest rates under the federal Criminal Code. The Criminal Code was amended to allow provincial and territorial governments to do that. There is a process that they are going through to get that designation and, once that designation is in place, the government is able to regulate the industry.

Can the minister tell me if they have any plans to do that and whether or not the process of getting that designation has begun yet?

Hon. Mr. Hart: As I stated in Question Period, Manitoba has done lots of leg work on this project. I personally know the minister involved with this particular project. It has been his pet project for almost three years now. He has been working with payday loans; they are the first out of the gate under this process. We are going to wait and see what they do.

In the meantime, in 2006 Canada passed the bill to amend the Criminal Code that defines the payday loan and provides provinces and territories with the flexibility to regulate this area.

Yukon is interested in harmonizing a regulatory framework that could be applied to the Yukon and protect people who use payday loans.

In essence, I would like to see what the results in Manitoba are. It may prove advantageous for us to look at that. We only have two facilities in the Yukon that provide this service, so currently we have not been under a great deal of pressure with regard to the use of the payday loans, but I am aware of where they are. There are lots of banking facilities available in Whitehorse.

We are willing to see what Manitoba does. They just came out of the gate with their regulations. When the Minister of Finance is willing to respond to me as to just how well it's going for them, then we will consider moving up and/or following other jurisdictions in this process.

Mr. Cardiff: It would make sense, if we could start the process of getting that designation now, we would be a little bit ahead of the game. It's probably better to be a little bit

ahead than to do the wait-and-see thing while some people may be getting gouged with high interest rates. I have only heard anecdotal reports of that. I don't want to get into it, but the minister can research that himself.

I would like to go back to Question Period today. The climate change action plan is going to establish green action committees to examine internal operations and develop and implement plans. The departments are going to be required to file annual reports on their actions, their emission levels, et cetera. I think it's on page 27 of the report. However, it only specifies four departments: Highways and Public Works, Environment, Education, and Energy, Mines and Resources. They are going to start this immediately and the rest are going to follow suit later. I am just wondering what the minister's intentions are. When will Community Services be part of the climate change solution?

Hon. Mr. Hart: Currently, Highways and Public Works handles all our buildings throughout the Yukon, including the ones owned by the government, so Highways and Public Works will be dealing with those facilities that we lease, rent or own throughout the Yukon. They are in charge of those facilities. As a department, we are also looking at dealing with projects that are off the shelf and don't require a lot of, shall we say, fancy designs and are — and this is my personal quip — suitable for northern climates, such as the Thomson Centre.

We are looking at buildings and facilities that are energy efficient and have a focused process on what the O&M for those buildings will be once they are completed. That is the emphasis of what Community Services is doing and that is not only with our own equipment — our own buildings — but also the ones that we project on behalf of the other municipalities.

Mr. Cardiff: Well, there is more to it than just the buildings. There are a lot of actions that can be taken internally as was mentioned today, and it is up to the department to take that upon themselves, whether it is changing light switches, how many lights are left on or what the temperature setting is in the building, what vehicles are used, whether or not cars from the government carpool are used when attending meetings. There are a number of things, and the Department of Community Services can be part of the change.

The department provides funding to communities and in the past we've seen volunteers' requests for green technology at community centres be turned down — like heat pumps or solar heat. The upfront cost is a little more, but in the end, there is a payback and we actually use less fossil fuels. It decreases the carbon footprint. I'm just wondering if the department has reviewed its policies so that community infrastructure developments like community centres and other buildings that the department funds can access green technology easier as opposed to being told that it is too expensive.

Hon. Mr. Hart: I'm quite sure, as I indicated previously, we're looking at the operation and maintenance costs for all our facilities, especially in our rural areas where they pay a higher fuel cost. In addition, we work with them to ensure that when the facilities aren't in use that they take the appropriate steps to keep the heat in the area to a minimum. With regard to

alternative sources of heat and/or light, we take all these things into consideration when dealing with their facilities.

Just because it's a heat pump doesn't make the project viable or unviable and it doesn't make it more so even in the long run. I can sit down with the member opposite and we can go through a couple of scenarios where he could take all the siding off his house, strap it, paint it, put it on and I guarantee you're never going to get your money back.

But, if you take it off, you put the thermal red on it, strap it, put the air vent in there, you're going to get your money back. It's a case of how you are going to deal with that process and make it work.

We are not above looking at the best ways in which to deal with the mechanics, especially in the rural areas. The big thing we're looking at in our rural areas is to ensure that the system is simple. We don't need an expert from Calgary to come up and fix it, like we did in Swift River. So, the idea is that if we're going to do something, I'd like to make sure that the mechanics are simple enough that somebody close by can come and repair and work on the facility so that the rural area is not without that particular building and/or recreation facility for any great length of time. We look at all aspects and we look at the simplest means of working with the community, and O&M is obviously a big entity. What it is up front – we'll deal with it up front.

Mr. Cardiff: It's my understanding I have to be recognized before I speak. I thank the minister for that answer. I didn't realize that he had become a building tech or engineer recently and, quite frankly, I think there are opportunities for training in some of these systems that the minister is so concerned about. Personally, I think there are a lot of tradespeople who would take the minister's comments as a slight to their abilities to work on some of these systems.

There are a lot of companies who are interested in pursuing this technology, because they see it as the way of the future. They are willing to install it and service it here in the Yukon. There are lots of people who are interested in that because it is the way of the future. We shouldn't be shutting them out of that.

I would like to ask the minister a quick question: can he give us — I don't know if the total costs are in or if there may be some more costs this year — the total costs to date for the flooding that occurred last year, not just at Marsh Lake, but also in Carcross and Tagish? I also believe there was some response in the Liard River basin to flooding there. Can he give us the percentage or amount that is going to be covered by the federal government?

Hon. Mr. Hart: Approximately \$2 million was spent in 2007, responding to the recovery of flood events throughout the Yukon. In addition, we are continuing to receive additional claims with regard to the flooding last year in Marsh Lake. We anticipate additional monies for that, depending what the assessments and the results of the assessments are. Much of that work is going on now that the ground is beginning to thaw and people can commence their work. Of that \$2 million, we anticipate getting approximately 90 percent of that money back from the federal government.

Mr. Cardiff: There is a lot of money in the budget for land development. I would like to know if the minister has some numbers. A lot of it seems to be going to planning in various areas. What I would like to know is how many lots will be opened up in 2008-09 — this year, before winter sets in.

The other question is with regard to that: what are the costs to the taxpayers of re-surveying the Mount Sima lots?

Hon. Mr. Lang: The government is working with the City of Whitehorse in developing single-family and duplex lots. There will be 87 in total: 69 single-family country lots in Whitehorse Copper, 12 single-family urban lots, seven lots in Stan McGowan, five Copper Ridge, and six duplex lots in the Stan McGowan project, 42 city-government development multi-family units — that would be 32 condo units in Stan McGowan and 10 townhouses in Stan McGowan. There will be 81 private-development units, 38 single-family country lots at Mile 2 Mayo Road, 27 lots at Raven's Ridge, 9 at Fox Haven, 44 condo units downtown, 17 in Takhini West and 14 in Porter Creek. That would give us an inventory of 210 units if they were all to come to a finale.

In 2009, we are looking at 391 units, 106 in the city. Of course, we are working with the City of Whitehorse to develop single-family and duplex lots. There are 56 duplex lots: 40 in Takhini North and 16 in the Arkell expansion. There are 40 single-family lots: 37 in the Arkell expansion and three in Takhini North. Then there are 283 multi-family units being developed by the city and the government. There are 171 condo units with 110 being in Takhini North and 71 will be in the Arkell expansion. There will be 78 townhouses in Arkell expansion as well as 24 fourplexes. There will be 10 mixed-use development lots in Takhini North and eight privately developed condo units in the downtown area.

2010 will see 55 city-government units in Whitehorse, which will consist of 38 duplexes in Takhini North, as well as 17 single-family. So that is the overview for the next coming three years.

I'd like to thank my assistant on the lot situation. The Porter Creek bench will eventually have 2,500 lots with a total projected lifecycle and the cost is going to be in excess of \$160 million. We're looking at \$15 million up front. We're looking at that, taking *YESAA* into consideration.

Planning, engineering, design and construction start for the Valleyview water reservoir expansion — that is to take into consideration the Porter Creek bench expansion, planning, engineering, design and construction start for the roadway and the Alaska Highway to Range Road. In other words, that would be access to the new Porter Creek bench. Planning, engineering and design start for phase 1 and 2 on-site infrastructure. The first would be 200 lots tentatively scheduled for the fall of 2011 and 200 lots tentatively scheduled for 2012. Engineering, design and construction for the new subdivision will start — all that infrastructure is put in place so that we can access these lots.

The Burns Road subdivision has eight lots — this is a \$1-million investment in engineering, design and tender preparation — of course, it has to go through *YESAA* — legal survey, public tender for water and sewer services, public tender for

underground power and telephone utility construction, public tender for road construction and concrete curb and gutter and asphalt paving, and public lot tender. We are looking at this fall — October 8. Those are industrial lots.

There is \$3 million for the Arkell subdivision expansion. Phase 3 has 114 lots. Engineering, design, water and sewer services, and that of course involves *YESAA* again — legal survey, site clearing and grubbing, public tender for water and sewer services. This is all for the summer of 2008. Material is ordered for underground power services. Again, hopefully we're going to have the lottery in October of 2009.

Whitehorse Copper subdivision, phase 2, has 58 lots. The \$1.5 million is a revote for completion of subdivision road-work, completion of the Alaska Highway intersection across from Meadow Lakes Golf and Country Club course, completion of the legal surveys and completion of the overhead power and telephone. We are looking at the lot lottery in the fall of 2008.

Outside of the community, we are looking at the Dawson Dome country residential. That would be a potential 30 lots. Again, we have to look at engineering, the *YESAA*, legal survey, clearing and grubbing, road construction and starting that lottery in October 2009, so that would be a year this fall.

For Dawson's Callison industrial subdivision, we are looking at an expansion of 30 lots. Again, we are looking at the engineered design, *YESAA*, legal survey, clearing and grubbing — and lot tenders would be out the fall of 2009. Both of those would come on-line at approximately the same time. The total there is \$150,000 for Callison and approximately \$150,000 for the Dawson Dome country residential subdivision.

Closer to home, the Grizzly subdivision has a potential for 30 lots. We have to do engineering design, legal survey, clearing and grubbing, and road construction, with the lottery tentatively starting the fall of 2009. That is a \$4.7-million expansion. There is also \$500,000 for planning and engineering for 20 to 25 lots in the Mount Lorne area. That is some of the inventory we have for land here today and also into the future.

Mr. Cardiff: I thank the minister for that information. There is \$4 million in the capital budget for the Whitehorse waterfront. I would like the minister, if he could, to explain or give us a bit of a breakdown. I know he mentioned that there was some planning, design engineering work with regard to a pier or a wharf on the Whitehorse waterfront. I am wondering if he could give us a little bit more information about exactly what that \$4 million is going to be spent on.

Hon. Mr. Hart: I apologize to the member opposite for the delay.

The priority for the breakdown is identified by the City of Whitehorse and Kwanlin Dun First Nation. We will proceed as soon as possible as approval is obtained. Finalization of the second priority projects will be carried out by the waterfront taskforce. The administration guidelines and the detailed agreements with Canada will be established to oversee implementation of the bundled Yukon waterfront projects approved under Canada. Whitehorse and Carcross comprise the waterfront bundle that we have. The City of Whitehorse is develop-

ing their detailed plan and they will direct all the work on the project.

The Yukon government will participate from the perspective of confirming compliance with the approved CSIF agreement and as the funding partner. Approximately 50 percent of the priority A projects are underway or have been completed.

The CSIF in the new program initiative identified in the 2003 federal budget: the first projects under the new program announced in 2003 were for bridge repair and highways and maintenance work. The CSIF project continues.

Specifically with regard to the Whitehorse waterfront, the work is being done on phase 2 projects. The wharf is one of the items, and once the taskforce has finalized what the remaining projects will be, then the city will come forward and make an application for the final balance. We anticipate that to commence this year.

Mr. Cardiff: We received a response from the minister regarding community infrastructure projects with respect to the unincorporated communities. It provided a listing of the money that's going to be spent in the unincorporated communities.

In community infrastructure money, there is another \$1.37 million. I don't need this today; I would just like to have a breakdown and list of the projects that the \$1.3 million is going toward. Could the minister send that over? It would be helpful. At the same time, could he provide us with details?

In his opening remarks, I believe it was last Thursday, he mentioned he had announced last November a new infrastructure funding program to assist rural communities in dealing with such municipal responsibilities as potable water, waste water, solid waste, emergency management and response projects. I am just wondering if the minister could — again, not necessarily today — send over the details and criteria for that new program and the process by which communities can access the new program.

Hon. Mr. Hart: I would be pleased to provide the member opposite with that. This particular program was to address the rural communities' immediate needs. I will advise the member opposite that \$228,000 was provided to the Town of Faro to deal with their waterworks issues. In addition, I believe \$440,000 was provided to the Town of Watson Lake, again for water issues relating to increasing their capacity, as well as replacement and work on their piping.

In addition, \$100,000 was provided to the Village of Teslin for an emergency generator to be utilized in the case of an emergency in the recreation centre. We also provided \$130,000 to Haines Junction to assist with their immediate needs relating to fire and water issues. We provided \$100,000 to Mayo to assist with their dump and dike improvements.

Mr. Cardiff: I'm wondering whether or not there is money in the budget for communities to do emergency plans. A few years ago, we had the high fire season that we survived but there were a lot of lessons from that. There were a lot of communities that saw the need to do more planning around emergencies. I'm wondering whether or not the minister is aware of whether all Yukon communities have emergency plans. Can he give us an approximate number of how many communities

have in place emergency plans and how many don't and whether or not there is any money in the budget to assist communities in doing that?

Hon. Mr. Hart: All the municipalities have emergency plans in place and most of our unincorporated communities have emergency plans in place. I will advise the member opposite that we are currently providing assistance to the Tagish LAC to assist with their emergency plan. It is necessary to work with that LAC to ensure they are safe during an emergency. This was brought to light during the flooding last year.

In essence, we provide all the skills necessary through EMO to assist the community in the development of their emergency plan.

Mr. Cardiff: I'd like to ask the minister something that we brought up yesterday as well. The whole process for the Dawson sewage treatment plan — whether it is a lagoon or an SPR or something else — I'm just wondering if the department is working with the community to establish more than one plan for the coming court date in September. Are there going to be some options provided to the community and to the court in September?

Hon. Mr. Hart: With regard to the recent referendum and the democracy applied by the citizens of Dawson, we've had to sit back and look at where we are going to commence. Right now, that's the process we are in. We have to look at all of the options available to us and what may be available to us.

The member opposite indicated that we only have a couple of options as they relate to the lagoon system. We are considering a mechanical system, we are considering water issues and all those things are being discussed. But they all take time. Currently, under the *Municipal Act*, the recent referendum is applicable for a period of one year. We need approximately 12 to 13 months to explore our options, to investigate them thoroughly and bring forth the recommendation to the court on just where and how we plan to facilitate the secondary sewage for Dawson City.

We also are working very closely with the mayor and council, because we do not want to go through another referendum on an issue once we get halfway down the alley. The issue here is that we'll work with the mayor and council and we'll try to get some feedback from the town itself on the options that are provided, and we'll go from there.

Mr. Cardiff: Thank you, Mr. Chair. There is \$1.367 million for the Army Beach community — wow. I'm just wondering what the scope of this project is. I've got constituents who live within the City of Whitehorse that still can't access the well program to drill a well on their property. There are no community wells within the City of Whitehorse where they can access water. They're stuck with water delivery. Water is an important issue.

I have a couple of questions around it, but there is \$1.3 million for a well. Can the minister explain the scope of the project and why this well is so expensive?

Hon. Mr. Hart: With regard to why it's so expensive, it's because there is no water there. We have tried several times to drill a well. We used professional drillers, everything, and there is just no water. We have had to go to directional drilling

to go into the lake to get water. That's why it's a substantial cost.

We have since found that it will actually be more money than that. We will be investigating it, looking at the assessment as provided and we are looking at the prospect of providing a fill station and an appropriate area where we can have a backup facility for fire, also in addition to this facility. It's a very important issue for us in that particular area from that venue, as well.

With regard to the well program, I can advise the member opposite that I think the results of the *Municipal Act* are in. If that item goes through, then there will be no reason why the City of Whitehorse cannot initiate a program the same as we do.

Mr. Cardiff: The minister's explanation was that there is no water there, so we are going to spend another \$1.3 million. I understand the idea of directional drilling and getting the water from the lake. Quite frankly, I suppose if that's what it takes to have a community well there — I am just wondering if other communities come forward and request community wells, whether or not the government is prepared. There have been requests previously and there have been discussions about having community wells in other areas.

As recently as the other day on the street I was asked about a community well for the Golden Horn area. I know it has been discussed as well out at Mount Lorne about having a community well. I would be curious as to whether or not the minister and the department would entertain requests of that nature.

As far as emergency response goes, I know from dealing with the fire department that one of the things they do is look for bodies of water so they can pump water directly out without having to go to a community well. I would suggest that there is a body of water very close to Army Beach they could pump water from.

I would like to ask the minister a question. The minister brought up the *Municipal Act* review and the changes about the well program, and I would like to thank him for that. While we're still on the issue of water, there has been some concern recently at the school in Golden Horn about the water tank there. I am just wondering, within the minister's department — I am not sure if the Minister of Health and Social Services or any of the other departments are trying to address this concern. The concern for me is about the testing and dealing with other water tanks, whether in residences or institutional buildings. Are there any funds, programs or plans to ensure that well water and water tanks are tested? Is there a public education campaign around water safety when it comes to potable water, regardless of where it comes from — whether from a piped water system or through water delivery — to ensure public safety?

Hon. Mr. Hart: With regard to the specific issue of the Golden Horn Elementary School, the Department of Health and Social Services is responsible for dealing with the potable water there. I would ask the member opposite to ask that question when dealing with Health and Social Services.

With regard to the training, I'm pleased to advise that \$500,000 was secured last fall under the northern strategy trust fund to pilot and complete a five-year implementation plan for

the comprehensive training, certification and capacity-building program for water and waste-water system operators Yukon-wide.

A joint project proposal was submitted by Community Services, Champagne and Aishihik and the Tr'ondëk Hwëch'in First Nations. They have agreed to a contribution agreement with Yukon College to manage this project.

Foundation work and primary needs and assessment will be completed early this summer. The project is targeted for completion by December 2009. This project complements Health and Social Services' recent drinking water regulations that set certification and competency standards for water system operators.

In 2010, the national regulations for potable water will be coming into play. In some cases, there will be some stringent regulations coming forth with regard to residential water, especially for those who have wells. Those are issues we will have to work with the Department of Health and Social Services on locally as well as on a national scale.

The member opposite probably received several pamphlets in his mail over the past year on this particular subject. I can advise the member opposite that we are fully aware of what's coming down in 2010 and are especially aware in our unincorporated communities, where we'll have to make some adjustments to ensure the potable water meets the standard.

Mr. Cardiff: The Minister of Health and Social Services wanted to say something. I trust it won't take too long.

Hon. Mr. Cathers: I can just elaborate a little more for the Member for Mount Lorne that there are other regulations within Yukon government — the large public water and trucked water regulations were put in place. I can't recall the exact date of that but it was sometime last year following consultation that was done with operators and with the public.

Consultation has been underway regarding small public water systems which relates to those that are fairly small in nature and those whom they serve. There is some work that has to be done on that because it impacts a far broader range of individual operators and all sorts of small operations. The large water regulations covered municipal water and trucked water systems, but this type of third phase would apply largely to some of the small operations — be it a bed and breakfast, a highway lodge, et cetera. Therefore, there is a significant number more individuals who have to be contacted.

There are national standards, as the Minister for Community Services alluded to, not to mention the standards under the environmental health act as far as safe water and safe food usage. The regulations are being developed in greater detail regarding testing of systems. As I said, phase 1 and phase 2 have already come into effect and work is underway on phase 3. More information and details are available to the public through the environmental health branch of Health and Social Services.

Mr. Cardiff: I'd like to thank the ministers for their response.

I have a few more questions. I trust the minister will have lots of responses. I'm going to save the best for last. I've got a question that has been raised on several occasions by my con-

stituents over the years. It is not an easy question to answer or an easy problem to resolve because it is kind of cross-jurisdictional. The minister has it within his ability to talk with municipalities and to try to get this right.

It has always been the perception of a lot of people who live in country residential areas of Whitehorse — I'm not sure about other municipalities; Whitehorse is a fairly large municipality and it has some vast country residential areas — about the fairness of the property tax system within the City of Whitehorse and how country residential lot owners are required to put in their own infrastructure at their own cost. I know the minister is going to say that they choose to live there. The minister is going to tell me there's a kind of "buyer beware" aspect to it and they all knew what they were getting into.

The fact is there are some higher costs in maintaining that infrastructure individually, whether it's a well, a septic tank or a water holding tank. We were just discussing that. There are higher maintenance costs. It's more expensive to install the infrastructure. It is a bit of a gamble, I guess, as to how much it's going to cost, as we found out with the Army Beach well. There are added costs for insurance in those areas due to the distance from fire protection.

So I have a proposal for the minister. I did some research into property assessments and found out that country residential lots are assessed on the fact there is a well and there is a septic tank. It adds \$3,000 to your assessment for a well and \$3,000 for a septic tank — which isn't a lot of money — and it doesn't reflect the cost by any stretch of the imagination of what it costs to do it.

It would amount to a very small percentage change, but I think it would be an olive branch and something to offer those people who live in country residential areas, whether on the south end of Whitehorse or the north end of Whitehorse in the Member for Lake Laberge's riding. I am sure he too has heard this argument about extra costs for insurance and those types of things. It would be a small percentage change to remove that \$6,000 from the assessment. I am wondering whether or not the minister would at least take it under advisement to explore that idea and get back to me. He can have those discussions with the municipal government and get back to me on whether or not that would be something that would be acceptable. I think it might not be everything that country residential lot owners would want, but it would be something that the government could offer them. It would provide a very small percentage basis change in the assessment and therefore the property tax.

Hon. Mr. Hart: I thank the member opposite for the further questioning. I will not provide the answer that he indicated earlier, but I will state that we will look at it. I would also like him to see that there is a very good other side of that question, and he doesn't have to think too long about it.

With regard to that, I will take it under consideration and review it. I will state that the tax assessment boys have parameters under which they have to operate. They are set throughout other jurisdictions and through the rest of Canada. These are items that are there. We have items in order to assist with our computer programming. We need this information to get there.

I am well aware of what it costs to install both a septic and a well system. I am sure that when the member gets some of his constituents putting in wells under the city program, he will find what it really costs to build a well. Yes, there is a risk, but to date, as far as I know, we haven't hit a dry well, for those individuals digging one.

Mr. Cardiff: The minister did give me the answer that I wanted. He is going to look into it and he is going to get back to me. He is going to check it out and that's all I asked him to do. I am not sure exactly what he means by the "other side of the coin" but I hope it's not what I think he means.

I would like to ask the minister some questions about some contracts that the Department of Community Services has tendered. One of them is closed and actually is complete, and the other one closes shortly.

The first one was a contract that was tendered and closed on January 30, 2008. It was a contract for a solid-waste disposal facility research project. The scope of the project was to deal with siting and construction standards, environmental and water monitoring, both water and air.

It closed on January 30 and the final report was due on March 19, and I would like to ask the minister if he could provide us a copy of that report now.

Hon. Mr. Hart: I will have to get back to the member about the copy. I will try to do it as soon as I can.

Mr. Cardiff: Can the minister tell me whether or not the contract was completed?

Hon. Mr. Hart: I believe this contract was not let. There were some adjustments made to this contract but I am having a little difficulty trying to decipher which contract is which here. I believe the one that we put out this month is closing shortly. It is the one that we are following up on, having to do with our dumps throughout the Yukon.

Mr. Cardiff: I could give the minister a copy of the contract, and the Minister of Highways and Public Works can listen in on this conversation. One of the problems is that we go to the government tender site and look at the document, but we can't print it. If I could have printed it, I could have given the minister a copy of it, but I can't print it. I have to write it down on a piece of paper, because it's not printable like just about everything on that site, unfortunately.

The contract was closed on January 30 and the final report was due March 19. I will attempt to get the minister the information that he doesn't know about the contract. The second contract is the Yukon solid-waste strategy. I am not sure if this is the one that is cited in the breakdown that he gave us for unincorporated communities. He is using community infrastructure project money to do a solid-waste strategy. This one closes on May 29. The contract ends January 20, 2009. What I would like to know is if this is the one that is budgeted for \$100,000 in the community infrastructure projects for unincorporated areas? Is that the total budget — \$100,000? How does the minister intend to respond to the concerns of my constituents with regard to the Mile 9 dump if the final plan is due on October 15, 2008, but the finalization of the procedures and guidelines and the contract ending date is January 20, 2009? How is he going to have the money in the budget to ensure that

dumps and waste management facilities are funded adequately in next year's budget when he's not going to have all the information, by the sounds of it, until January 20 next year?

Hon. Mr. Hart: For the member opposite, I anticipate getting a draft report of this particular item in time for us to have monies set aside to deal with the monies required for the ensuing year of 2009.

With regard to the member opposite's specific issue, I indicated to him, as well as to those people, that with regard to the dump in the interim they could meet with our staff or our officials and look at their situation. In the interim, we might be able to look at something for them.

Mr. Cardiff: The minister will be — or should have been — in receipt of a letter that was sent to the Department of Community Services yesterday, I believe. I just got a copy of it this morning.

The minister was there. He knows what the issue is. The fact of the matter is that the people who work at the Mile 9 waste management facility do a lot of the work as volunteers. For instance, quoting from the letter to the minister, over the past three weeks they've transported seven and a half truckloads of refundables to Whitehorse. They receive reimbursement for that through the beverage container regulations. They can recoup some of their costs for fuel and other things.

But they have also transported three and a half loads of non-refundables for which they get nothing. They don't get any money when they drop it off at Raven Recycling, so they're out-of-pocket for their fuel, they're out-of-pocket for their time, and they're out-of-pocket for hauling tires that are hauled by the government at other dumps. The government hires a contractor to deal with things like waste metal, to deal with things like refrigerators and to deal with things like tires — to haul those things away.

The volunteers at the Mile 9 waste management facility have been doing that on a volunteer basis. What they're telling the minister is that they can no longer afford to voluntarily transport those materials. There are six and a half truckloads of plastics and cardboard stockpiled and awaiting transportation. When the minister was there a couple of weeks ago, he would have seen that there were refrigerators, scrap metal, furniture and other things that are being dealt with. There is hazardous waste material there that is being dealt with on a volunteer basis. It's not part of the Mount Lorne Garbage Management Society's mandate to do that.

My question to the minister: what plans does he have to either have someone from Community Services go out there and pick up this material so that it can be hauled into town or are they going to hire a contractor? Do they have a contractor lined up to start hauling this material to the appropriate facilities?

Hon. Mr. Hart: I am not in receipt of the letter he is referring to or responding to. As I stated both on Sunday when I was there, as well as to the member opposite, when the volunteers want to get together with our officials next week, they are more than welcome to sit down and we will look at what they have. We will come up with an option that hopefully can address all our issues.

Mr. Cardiff: Well, I hope that there is progress. The minister is offering to sit down and meet with the members of the Mount Lorne Garbage Management Society or have his officials meet with them next week. As the Minister of Energy, Mines and Resources says, that might be a timely time, because the Mount Lorne Garbage Management Society is planning to have a public meeting to discuss the options available to them. That would be on Wednesday, May 28 at 7:00 p.m. at the Mount Lorne Community Centre.

Just to provide the minister with a little advance notice, both he and the Premier are going to be invited to that meeting to hopefully answer their questions. So, my final question for the minister: will he be at that meeting?

Hon. Mr. Hart: I believe I'm out of town but for the member opposite I'll endeavour to have someone there. I would like to say that, once they deal with our officials, they will be able to present our side of the case at their public meeting and we'll await the results from there.

Mr. Elias: I have a couple of questions for the minister as well, some within my riding and a general one. I'll start with the general one first, I guess.

When a resident of a Yukon municipality wishes to appeal a decision of a municipal council, the appeal is generally heard by the same individuals who turned down the initial request. Would the minister consider recommending an amendment to the *Ombudsman Act* that would allow Yukoners to appeal to the Ombudsman in a matter concerning municipal councils? Presently, I believe the Ombudsman can only hear requests relating to the territorial government.

Hon. Mr. Hart: With regard to the member opposite's question, I believe this was brought up during our municipal review recently. It was brought up as a separate issue outside of the items that were out for consultation and, as such, it was brought forth. Once we go into the 10-year review of the *Municipal Act*, we will probably look at this particular venue.

Mr. Elias: I'll ask a bulk of questions here with regard to my riding. One of them is about the mosquito control program this year. The second is going to be about the water well update. The third is the Old Crow roadway and drainage upgrading, which is in the minister's budget at present.

With regard to mosquito control, there is a small window to administer the larvicide. It's my community's wishes that a larvicide program does occur with the lakes, possibly in the back behind Old Crow, along with the standing water alongside the airport and alongside the landfill site, and standing water in the community. Is Old Crow scheduled to be part of the mosquito control program, the larvicide, this year?

The other one is with regard to the water well upgrade. The minister knows I have asked about this several times. I would like to know when the water well upgrade is going to be completed, because I could not find any specific allocation specific to the Old Crow water distribution system.

The third one is with regard to the Old Crow roadway and drainage upgrading. I just came back from my riding and I recognize that there is \$30,000 allocated in the minister's budget under the northern strategy projects. Walking around the community with some constituents this weekend, the solution to the

standing water in the roadways does not seem to be — in our minds anyway, or the community constituents' minds — a difficult problem to solve. We do have the crushed gravel there, ready to be used. With a little bit of ditching, and with some strategic culvert placement, I think a lot of the standing water that has been a continuous problem year after year in the community could be solved.

I understand that one of the minister's managers will be going to Old Crow soon and looking at the situation, as well as the fuel storage with the Yukon Electrical Company that's in the vicinity of the Old Crow nursing station, the Northwestel communications, and our airport. The concern is that if the gasoline or diesel ever goes off in Old Crow, it's going to wipe out our communications, it's going to wipe out our transportation and it's going to wipe out our electricity and our health care all in one fell swoop. Actually, I guess that's the fourth question.

If the minister could respond to those four questions with regard to mosquito control and whether it's going to happen in Old Crow, the update on the water well upgrade, and what the minister hopes to accomplish with the \$30,000 allocated this year under the northern strategy projects for Old Crow roadway and drainage upgrading, and the tank farm issue in Old Crow.

Hon. Mr. Hart: With regard to the mosquito spray, I'll have to get back to the member opposite on that issue. I can't say right now whether it's going to take place or not. I haven't got it one way or another.

With regard to the \$30,000, this is for the planning for streets and the drainage, determining where it's going to go and how we're going to do the assessment. The member opposite is right. There is going to be somebody going up there to do that assessment and work with regard to the drainage issue.

Also, with regard to the Old Crow water well, we have a proposed budget of \$150,000 to assist with this well. We've done several studies on the existing well. The well is performing appropriately. However, permafrost is jacking it up somewhat, from what we understand.

We are addressing it. I have had some discussions with our staff with regard to what was being proposed in there. I've asked them to talk to our engineers to ensure that we're going to put it in the right way. This individual has been in Old Crow for some time and has been monitoring the water situation there. So we are working with them and our engineers on the upgrades necessary for that well. We do have money set aside in this budget to take care of that.

The tank farm is actually under the purview of Highway and Public Works, so when that department comes up the member opposite can ask that question. I know we've had discussions with the First Nation on that particular issue. There is a query of combining the two tank farms, so I know that has been discussed previously. Again, the tank farm is under the purview of Highways and Public Works.

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

Recess

Chair: Committee of the Whole will now come to order. The matter before the Committee is Bill No. 11, *First Appropriation Act, 2008-09*, Department of Community Services.

Mr. Elias: Just a point of clarification. In the budget under Community Services, I believe it is statistics, it does identify that 11 communities are participating in the mosquito larvicide program. Can the minister tell me if my community of Old Crow is one of those 11?

Hon. Mr. Hart: Currently my official is checking with the department to find out whether that is indeed the case. So hopefully today we'll provide the member with an answer.

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

Mr. Fairclough: I seek the unanimous consent of Committee of the Whole to deem all lines in Vote 51, Department of Community Services, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 51, Department of Community Services, cleared or carried

Chair: Mr. Fairclough has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 51, Department of Community Services, 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 \$59,323,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$57,722,000 agreed to

Department of Community Services agreed to

Chair: We'll now proceed with Highways and Public Works.

Department of Highways and Public Works

Hon. Mr. Lang: As Minister of Highways and Public Works, I am pleased to present the department's first appropriation budget for the 2008-09 fiscal year.

The Department of Highways and Public Works' diversity lies in the range of services that it provides, not only to Yukoners but to all of the departments within the Yukon government.

Highways and Public Works maintains, operates and constructs roads, airports, government-owned and leased facilities. It also provides information technology and fleet vehicle services, as well as procurement services for the Yukon government.

Shared within the branches of the department is the responsibility for planning, procurement, construction, operations, maintenance and disposal of most of the Government of Yukon's infrastructure and assets.

Mr. Chair, the services and good works that are provided by this very dedicated staff working for Highways and Public Works can be found in every Yukon community and the surrounding areas throughout the territory. These are the people behind the snowplows, who keep our highways clear. They are also the people who provide the computer systems and com-

munication technologies that are so important and vital to the territory's transportation and property infrastructure. These services provided by Highways and Public Works are used every single day by other government departments and by all people living in the Yukon and the visitors who are drawn to this great territory.

I would like to share some of my department's capital budget highlights with you now. The Shakwak project has been of tremendous benefit to the territory and the department is planning to continue upgrading the Yukon portion of the Alaska Highway to acceptable structural standards. The project was proposed by the United States government to provide a modern, all-weather, paved highway for the predominantly American users of the Haines and Alaska highways, which include 325 miles of road in northwestern Canada.

The sections of the highway identified in the project encompass the Haines Road from the U.S.-Canada border to Haines Junction, Yukon, and the north Alaska Highway from Haines Junction to the Canada-U.S. border near Beaver Creek. The Shakwak agreement was originally signed in February 1977 and is an excellent example of cooperation between the United States of America and the Canadian governments.

Funds under the U.S.-Canada Shakwak agreement in this budget total \$28 million and are 100-percent recoverable. With the signing of the Alaska-Yukon Intergovernmental Accord in Anchorage this past February, our government and the State of Alaska agreed to jointly lobby the Government of the United States to extend the Shakwak project past its current expiration date in the year 2009.

Yukoners will continue to benefit from employment on these projects that will enhance the condition of this section of Yukon's major tourist and commercial highway route.

Shakwak project expenditures for this fiscal year include: \$3 million for the Slims River bridge at kilometre 1705. Design and permitting is ongoing for the construction of the new structure to replace the existing Slims River bridge for next year.

There is \$11 million for the reconstruction of the Duke River bridge at kilometre 1768. A detour bridge has been opened to keep traffic moving while the bridge is being reconstructed. Several contracts have been awarded in relation to this project and work is expected to be completed by September 30, 2008.

There is \$3 million for the removal and disposal of the old Donjek River bridge as part of the second-year removal project. We were pleased to open the new Donjek River bridge in October of last year.

There is \$4 million for the Shakwak reconstruction of the Alaska Highway at kilometre 1700 to 1707, located along the south shore of Kluane Lake near Sheep Mountain. Last year's allocated funding improved grade construction and drainage and provided for base and sub-base course construction.

There was \$5.5 million for the Shakwak pavement construction in the Haines Junction area. This is to complete production and placement of hot mix asphalt through Haines Junction.

There is \$1 million for the Shakwak BST application, and revegetation, from kilometre 1700 to 1707. The seeding and

fertilizing of the areas disturbed by highway and road reconstruction are standard practice, intended to ensure that environmental impact is minimal.

Mr. Chair, having listed all of these Shakwak projects, I would like to repeat my earlier statement and emphasize that the funding allocated to these Shakwak projects is 100-percent recoverable from the Government of the United States.

The Canada strategic infrastructure fund, or CSIF, also provides Yukon roads and highways with 50-percent recoverable funding. The deck replacement of the Lewes River bridge is a CSIF project that commenced last year with the installation of a temporary work platform. The contractor is back on site and the work is scheduled to be completed by September 2008. This \$2.4-million project includes the construction of a new deck, a new guardrail, replacement of bearings and minor structural strengthening.

In this fiscal year, the department has allocated \$1.5 million to rehabilitate existing pavement overlay on the north Klondike Highway between kilometre 211 and kilometre 217.

A comprehensive pavement management system provides a detailed analysis of each pavement section enabling the department to choose the optimum rehabilitation method. The object of this practice, Mr. Chair, is to provide a surface that is the most economical over the long term. Improvement of the quality of these road surfaces reduces costs to road users and increases the level of operating safety.

The Robert Campbell Highway is one of Yukon's major resource roads that provides access to resource activity happening in this area. Increased activity on this road is anticipated and as a result of this, Highways and Public Works has made it a priority to upgrade this highway to maintainable standards. For this fiscal year, the department has allocated \$8.05 million for some reconstruction between kilometre 10 and kilometre 190 of the Robert Campbell Highway. This work will consist of clearing and grubbing, earth work to achieve subgrade widening, limited realignment to meet 90 kilometre per hour design geometry; drainage improvements; construction of sub-base and base courses; and surfacing with BST.

This year's projects include reconstruction of the following areas: from kilometre 12 to 17 — north of the Watson Lake airport, from kilometre 35 to 36 — Tom Creek, and from kilometre 107 to 114, near Tuchitua.

Mr. Chair, these projects are only some of the transportation initiatives that Highways and Public Works will manage this fiscal year. The department is also responsible for airport infrastructure. We were very pleased to announce funding for the expansion of the Whitehorse air terminal building and continued improvements to the parking lot at a recent press conference held at the Whitehorse International Airport.

Funding in the amount of \$6.5 million has been allocated for the Whitehorse airport terminal building expansion project that is scheduled for completion in November 2009. This 2,500 square metre expansion will improve services to national and international air traffic.

It will include additional space for security clearance of passengers and a new 230-passenger room that will serve as an in-transit lounge for international flights. The upgraded facility

will be available for the tourist season in the year 2010 and will include a new and larger carousel and an oversize freight and passenger elevator.

This fiscal year, funding for \$1.8 million has been allocated toward the final phase of the airport parking lot improvements. These improvements will include the following: 237 additional stalls for public parking, creating a total of over 400 stalls; automatic parking controls; and upgrades to the internal roads, which will allow for easier access to the airport with a smoother traffic flow.

These major upgrades will facilitate tourism industry growth. This is a prime example that the department is committed to develop the territory infrastructure to support Yukon's growing economy. Since its beginning in 1929, the Whitehorse Airport has evolved from a cleared strip and gravel runway to a modern facility that boasts international status.

Mr. Chair, the Department of Highways and Public Works is also responsible for the mobile communications infrastructure across the territory. Equipment at six remote sites in southeastern Yukon will be replaced in 2008-09 to ensure the ongoing provision of mobile communications for emergency responders and Yukon government users, such as conservation officers and highway maintenance workers. Funds of \$1.696 million have been allocated to carry out this very important work.

This fiscal year, \$2.052 million has been allocated for computer systems development projects and resources to support government's new and changing business needs. One significant project is related to developing additional and enhanced high-resolution imagery and base mapping information for areas of northern Yukon.

Highways and Public Works is partnering with the Tr'ondëk Hwëch'in First Nation on this very important project.

In addition, funding of \$1.266 million has been allocated to maintain and upgrade the government's network infrastructure, which is vital to support the many programs and services that the government delivers to Yukon citizens.

The word "infrastructure" in the territory embraces many elements, and I would like to take some time now to speak about some of the property infrastructure that this diverse department is currently managing.

To start with, the department has put together specifications for a request for proposals to configure, implement and provide ongoing support for a comprehensive property management information system. This initiative will provide the department's property management division with an electronic system to manage all aspects of properties both owned and leased by the Yukon government.

The fund allocated for this project is \$450,000. This fund will assist the department in meeting its mandate to procure and manage facilities that will provide comfortable and appropriate accommodation for government and publicly funded agencies.

The property management information system is an important tool in ensuring that Government of Yukon buildings are maintained in a systematic way to minimize costs and to maximize the economic benefits.

The department's master space plan will support the Government of Yukon's climate change strategy by implementing energy performance and conservation standards, which will meet or exceed the national leadership for energy and environmental design — LEED — standard, put forward by the Canada Green Building Council.

A further testimony to the department's commitment to its LEED initiative is the construction of a new visitor reception centre in the Tombstone Territorial Park.

Highways and Public Works is working in conjunction with the Tr'ondëk Hwëch'in First Nation and the Department of Environment on this project that will see the completion of phase 1 and 2 at the end of July of this year.

Phase 2 of the project will include staff accommodations and outbuildings, trails connecting the visitor reception centre, the existing Tombstone campground and restoration/landscaping of the existing gravel pit.

This construction showcases how environmental best practices can be used to build a very efficient structure in the very special geographical and relatively remote area of the Yukon. The funds for phase 2 are identified at \$345,000.

Mr. Chair, in closing, this budget shows our commitment to the planning and procurement necessary to ensure safe and efficient public highways, airstrips, buildings and information systems. To this end, I would like to thank the over 850 employees of this department for their dedication and diligence in meeting the challenges that arise on a daily basis to ensure our mandate is being met. These people who live and work throughout Yukon and its communities exemplify the concept of public service.

I would be pleased to answer any questions the members opposite may have on our budget today.

Mr. McRobb: I'd like to thank the officials for writing those opening remarks. I would also like to commend all the hardworking employees in this department. I would like to state I have no questions for the minister. What's the use anyway? Just refer to the Department of Energy, Mines and Resources debate — it's useless.

I will consider other options to ask questions. I'll just state for the record it would have been nice to receive responses to questions and information requests made at the time of the budget briefing, which have still not been received.

Thank you.

Hon. Mr. Lang: In response to the member opposite, we on the government side are open to discussion on any part of our budget. I'm very disappointed with the member opposite that he would not think that this department was worthy of any critiquing. The opposition says that this is not a high priority on their list and I say to you it's the second largest budget that this government manages.

For the member of the opposition to not have any questions I think is irresponsible and I guess Yukoners will have to address that somewhere down the trail.

Mr. Cardiff: Well, I would like to take the opportunity today to ask a few questions of the minister. I am going to see how it goes and see whether or not I can get some answers.

There is \$100 million in O&M in Highways and Public Works and \$70 million in capital. It's a substantial amount of money. I would like to start with the Property Management Agency. In response to the Auditor General's report, the Property Management Agency ceased to be a special operating agency and actually became a branch of Highways and Public Works. That is my understanding. My understanding is that the PMA is managing \$32.2 million for the government, and this is to deal with rental properties and government buildings. We were also told that the numbers in the budget — I have it here or will find it shortly — were restated. Going back over the budget documents, it is not totally clear what amounts other departments spent on rental accommodation that was billed to the Property Management Agency or however that was handled.

Can the minister provide a breakdown of how much money individual departments spent in the 2007-08 year on rentals or property management? He doesn't have to do it today. He can provide a legislative return if he wants.

Hon. Mr. Lang: Property management — the budget line was \$32,203,000 and the breakdown of that was \$14.199 million for personnel, and the personnel consists of 198 full-time employees. There is roughly \$18 million of other funding, and there is a breakdown here: \$9.145 million for rental expenses; \$3.881 million for repairs and maintenance; \$3.616 million for heating fuels, electricity and utilities; \$812,000 for program materials; \$159,000 for communications; \$93,000 for travel within Yukon; \$452,000 for other support costs; and \$154,000 is for interim recoveries inside the department.

This is an increase over the 2007-08 forecast of three percent. Three percent reflects \$1,045,000.

Mr. Cardiff: What I'd like at a future date is if the minister could provide the numbers by department from last year so that we can add them up and see just how it compares to the \$32.2 million. So if he could do that, it would be much appreciated.

One of the things that came up in the briefing — we were asking the minister — I know we had problems with the previous minister about getting some movement on the *Access to Information and Protection of Privacy Act*. We were told that it's in the hopper for consideration — I think that's a direct quote.

I just want to make sure that that doesn't mean it's in the hopper gathering dust. I want to make sure it's in the hopper and it's going to come out the other end.

So I'm just wondering if there is any plan to update the act to make it more accessible to Yukoners. Are there any consultations planned with regard to the access to information and protection of privacy legislation? Would the government consider eliminating fees to improve the access to information?

Hon. Mr. Lang: In addressing the member's last question, all of those figures have been transferred to property management. The only increase that will reflect is the three percent, which is mostly the collective agreement. In this transition year, that is how it worked. As we move out of this year into oncoming years, it will be a lot easier to address from a government's point of view now that we're encompassing and

we're bringing property management back into the corporate umbrella. I hope that addresses his issue.

I guess the access to information — of course, this is one of our commitments on our platform — we're doing an internal audit as we speak and part of that internal audit will eventually get out into the public and we'll have public consultation. ATIPP provides access to information held by the public bodies, which is obvious, and it also has to protect personal privacy. So we are working on upgrading ATIPP, and as the internal audit is completed we'll be moving out with some public consultation to modernize the act.

Mr. Cardiff: I am going to keep moving here. I asked a question of the minister awhile back about highway signage and we had a little bit of a disagreement. Just for the minister's information, it is the National Safety Code, not the national highway code. With the help of very good researchers and the people in *Hansard*, we got that one straightened out. What I want to know is what kind of feedback there is. It's about the removal of signs on some of the highways, warning about such things as T-intersections. The signs are being removed. Where did those signs go? They are expensive. Has the government had any feedback about the removal of those signs? Is there some intention to replace some of them?

Hon. Mr. Lang: As we go back to the signs and the signage on the highway system — it's a national highway system that works within the uniform traffic control manual for signs. As we modernize ourselves in the jurisdiction and as our roads are upgraded and we work with the national highway system, there are certain things we have to do.

As far as what we did with the signs physically, I think that they are in storage at the moment. I would have to ask my capable individuals. Where are our signs? They are in storage.

The good news is that they are being recycled and reused.

Mr. Cardiff: I thank the minister for that. It's about safety and it's about people having advance warning of what's coming down the road. If that is what the national guidelines are — maybe the minister can tell me if there's a law preventing us from putting up signs of that nature. Does the removal of these signs only apply to a certain category of highway?

Hon. Mr. Lang: The standards are set across Canada and, in turn, across North America. We try to keep our national highway system within those kinds of standards. That's what we're working on. We're working on upgrading our highways using the standards we have at our disposal. Part of that was how we manage the signs and get our highway system up to that standard.

Mr. Cardiff: I'm not going to pursue this one any further because I don't know that we're going to make any progress.

Hopefully this won't affect the sign I asked them to put up at the cut-off — and I'm still not sure it's exactly what we were looking for, as far as children crossing the highway — to watch out for students going to Golden Horn school.

I do have some other highway safety questions for the minister. The minister mentioned it today in his capacity as Minister of Community Services, responsible for land, about

highway upgrading, or the new highway infrastructure across from the Meadow Lakes golf course.

I want to go back to the one I was talking about last fall, about which I've asked the minister previously, and that is whether or not they will make any improvements to the Mount Sima road access.

There are people who are very concerned and the minister needs to listen to me now while we're asking this question, because he drives by this every day on his way to work. The issue is the Pioneer RV Park is right there. There is also another entrance — depending on which way you're travelling. I guess it would be on the right-hand side of the road travelling east — also known as Boydsville, and that is the easy way for the minister to understand it. On the other side is the Pioneer RV Park and Campground and there is a highway divider there — which I understand has already been driven over once and the sign has been knocked down — but the issue is that there is going to be a bottleneck once the RV traffic starts up right at the end of that traffic divider. When RVs are coming from town and wanting to turn left, there is going to be a bottleneck. There is no way for them to get past the RVs because of the highway divider. From the other way, it is going to be the same thing, because there is no turnout lane for the RVs, which are travelling very slow, to either pull in to the Pioneer RV Park or to pull out on to the highway in a 90-kilometre per hour zone.

Now, my understanding was that this was a concern of the engineer who did the design — so my question for the minister: this is a problem right now; what is he going to do to address that concern and fix it? Number two, what is he going to do at McCrae and at Meadow Lakes golf course, because the same situation is going to exist there? I can guarantee it. In fact, I'd almost bet my life on it that the same situation is going to be there, because there are entrances — the entrance, better known as the Fox Farm Road, but the entrance to where the minister lives, is at one end of the stretch across from Meadow Lakes golf course, and then we have Fox Haven and Wolf Creek North at the other end of where all that traffic congestion is going to be.

I just want to make sure we don't have three problem areas instead of just one.

What is the minister prepared to do? How are they going to address that problem?

Hon. Mr. Lang: Addressing the situation at Mount Sima, some line work is going to be done this spring to improve the situation. That work will go ahead. There will be an investment regarding traffic control at Meadow Lake. As far as the investment or the size of the road or whatever, nothing has changed. With the line work we will be able to control traffic better. We're committed to doing that. Last fall we put the lights out. As one of the people who live out there, I have certainly gotten used to the process and it works well. I think the line work will be an improvement, and I think that will answer the member opposite's question as soon as that's done.

Mr. Cardiff: I'm glad the minister has got his paintbrush out and he's trying to paint a nice picture of the whole thing, but that's not the way it's going to work. The minister hasn't driven it when there are RV caravans on the highway,

because it wasn't complete. We'll talk to the minister in a month or two when all the rubber-tire RV traffic is on the highway and we'll see how he likes it then and whether or not he feels safe and whether or not the travelling public feels safe. I know that the people I'm talking to are really concerned about it, and we've got more development happening out there.

One more question with regard to highway safety: there have been numerous accidents at the intersection of the Alaska Highway and what is known as the Two Mile Hill. There was a road safety audit done and there were some recommendations made.

What are the department's plans to address this situation? There have been numerous accidents up there and it seems to be almost a weekly event.

Hon. Mr. Lang: We had a road safety audit, and we are going to invest \$300,000 this summer in improving the traffic flow at the top of the Two Mile Hill.

Mr. Cardiff: How are they going to do it? Does the minister have that information? If he can't explain it on the floor of the Legislature, I would be more than happy to take a legislative return if he could provide that.

Hon. Mr. Lang: I was going to leave the investment up to the capable staff, but I have been told by my assistant here that there is going to be a realignment at the left-hand lane, and that is going to improve the flow of traffic and upgrade it, to address the road safety question.

Mr. Cardiff: I hope that it actually improves the safety. I am not an expert in these matters by any stretch of the imagination either.

It was my understanding previously that some of these monies were previously — and I have not been able to find it yet, but what I would like to know is how much money is flowing through the heavy equipment rental program this year?

The other thing I would like to know from the minister is whether or not there has been a cost-benefit analysis done, and whether or not the taxpayers are actually getting a good bang for their buck, basically, or whether or not it would actually be more cost effective to just go with the standard tendering process on some of these road contracts.

Hon. Mr. Lang: In addressing the member opposite, HERC is a process, not a program. We don't have any of that for this budget this year.

Mr. Cardiff: Well, the minister should read the documentation. We can get the heavy equipment rental contracts program guidelines. That's the way it came to me, so it was a program. Now it's not a program; it's just a process.

The minister didn't answer the other question. Has there been an evaluation done of that process or that program? Do we have any figures as to whether or not it is an efficient way of spending Yukon taxpayers' dollars?

Hon. Mr. Lang: HERC is usually an allotted sum of money that is blocked off for a specific project in a specific area. We certainly do rent equipment from independent operators. We do that on a yearly basis. That will not be discontinued. This year, in this budget, there is no HERC project on the horizon.

Mr. Cardiff: Can the minister tell me if there's any money in the budget for the Canol Road?

Hon. Mr. Lang: There is always regular money allotted for the Canol Road, whether it's south or north. This year, we're investing \$700,000 in a culvert and a washout situation to upgrade the existing North Canol Road, so there will be an extra \$700,000. The rest of the money is based on a regular maintenance dollar value.

Mr. Cardiff: So this is on the North Canol Road. What's the reasoning behind this large expenditure on that particular highway?

Hon. Mr. Lang: This \$700,000 is a fairly large amount of money, but it is a fairly large task we have to do. There is a very high bank and a river on one side, and if we don't address the bank situation, the highway is going to be non-existent. So this investment will certainly address that issue.

Mr. Cardiff: We can talk about all kinds of roads, I'm sure. I know the Member for McIntyre-Takhini was asking the minister about upgrading the north Klondike Highway between Carmacks and Pelly Crossing to deal with the ore truck traffic.

The minister has had about three and a half hours to think about that — or maybe only three hours. I'm wondering whether or not there is an appetite to look at widening that. We've got ore trucks on that road, and we're coming back into the season where there are going to be lots of RVs travelling the Silver Trail, up to Inuvik, Dawson City and the Top of the World Highway. There are going to be tour buses and ore trucks, and I'm just wondering what plans the minister has.

This is a mine that I understand is going to be operating for some time, and we need that highway to be safe for the travelling public — Yukoners, ore truck drivers and tourists alike. So I'd like the minister to address that question.

Hon. Mr. Lang: We have to keep it in perspective at the moment. There is only a maximum of five trucks a day that come out of the Minto mine. That doesn't diminish the issue, but it isn't the same volume of trucks that came out of Faro. There would be five loads of aggregate that come out of the Minto mine on a regular basis on a good day. We do commit money, however. In the Klondike Highway we're investing \$3.1 million for upgrades and repair of the highway. We are working on a yearly basis to make sure the road is safer for all of the travelling public.

Mr. Cardiff: Well, I don't know where the minister has been but I know that over the winter I can recall seeing more than five trucks on the road at one time within an hour of each other. I know they have to get a certain amount of ore out when the river is frozen and there is only so much they can probably get across on the barge. I know that earlier this year there were more than five trucks on the road at one time because I was driving on the road at the same time. There is lots of other truck traffic on that highway as well. It is a safety issue.

I'd like to ask the minister how much money there is in the budget this year for the rural roads upgrade program.

Hon. Mr. Lang: I think that figure is roughly around \$200,000.

Mr. Cardiff: This is an annual question for me: why is it that there is only \$200,000 in the rural upgrade program? In fact, if I'm not mistaken — maybe the minister can refresh my memory — I could have sworn there was around \$350,000 in it a few years ago. I guess with the change of ministers, maybe the priorities have changed. Actually, my recollection and my notes tell me there was \$250,000 in the budget last year for rural roads. I know I've corresponded with the minister on this issue and I'm going to bring it up again because now we're back in the construction season.

I would like to ask him whether or not there has been any consideration given to upgrading the bottom portion of Gentian Lane. I went around this with the previous minister. The constituents are not asking for the road to be upgraded to the National Safety Code, the national highway code, or whatever the minister wants to call it. They're asking for it to be graded and a little bit of pit-run gravel put on it so that the run-off can drain properly — not to build a superhighway. That would be the first rural road question.

Hon. Mr. Lang: Certainly, we look at all applications throughout the Yukon. The issue on the government side is that we have to represent all Yukoners and prioritize where the resources go. That is one of the areas that we're working on. We have many requests in a year and we have to prioritize where the money goes. We work on all the issues throughout the Yukon.

Mr. Cardiff: The minister didn't answer the question. I asked him a specific question about whether or not there has been any consideration given to the application that has been submitted year after year for an upgrade of Gentian Lane. I am going to ask the minister a different question, because he can't answer that one.

This was brought up on the Premier's tour, which was attended by the former Minister of Highways and Public Works. He gathered all the information and brought it back to the government. One of the things of concern is the condition of the Annie Lake Road. Again, this goes way back. The minister is also the Minister of Energy, Mines and Resources. He likes to promote mining as one of the economic generators of the territory, which it is. It just so happens that, at the end of the Annie Lake Road, there is a long-time mine and there is a possibility that it may go back into production. Currently, there are all kinds of heavy equipment being transported back and forth along that road. I don't think I can say it nicely — basically, that road is getting pounded badly. There are potholes. There is a signage issue that I might raise with the minister too.

Are there any plans to do any upgrading? It has been years and years since that road was rebuilt. Basically, the road base has been graded off into the ditch and it needs a new cap on it.

Hon. Mr. Lang: I have been informed that we are not in the business of grading the top off our road systems. Our job is to grade it and manage the top cap on our highway system.

Certainly, we do maintain the highway and we do understand the pressure that Tagish Gold is putting on it. I will tell the member opposite we are monitoring it and, as pressure grows, we will be investing money on the Annie Lake Road as the numbers go up.

Mr. Cardiff: I am glad to see that the minister is watching where the potholes are. There are lots of them. I invite him out there; maybe I will take him for a drive on the road and he'll have a first-hand look at it.

I have a couple of other questions about highways, as well. One of the other questions was brought to my attention last fall but I did not get the opportunity to ask last year, and that was whether or not the government has any money in the budget this year to upgrade Front Street in Dawson City. This was a concern for the residents of Dawson City. It was raised quite a few years ago and the government said not to worry about it, that we are going to build a bridge and it will all be addressed then.

There has not been a bridge built and apparently the concern has not been addressed and residents of Dawson City would still like to see Front Street upgraded. Is there any money in the budget for that this year?

Hon. Mr. Lang: We are certainly aware of the condition of Front Street in Dawson. It is an extension of the Klondike Highway, and in this budget there is \$300,000 for engineering and work so we can proceed in the near future with an upgrade of that part of the Klondike Highway.

Mr. Cardiff: Great. Thank you. I'm sure that the residents of Dawson — I'm sure, Mr. Chair, that you'll be happy to hear that yourself. I'm glad to hear it, because it is part of the highway system.

While we're on the Klondike Highway system, can the minister tell us what the life expectancy is of the *George Black* ferry?

Hon. Mr. Lang: The life expectancy of the *George Black* ferry is not dictated in years; it's dictated by the Coast Guard. It's inspected every year, and it has to pass the approval of the Coast Guard, and repair and maintenance has to be done. It's a yearly inspection and the Coast Guard is in charge of that. They are independently looking at the infrastructure to make sure it passes all the codes. It's not a matter of the life of the ferry; it's a matter of the Coast Guard improving it and upgrading it, as they see deficiencies in the actual infrastructure.

Mr. Cardiff: I'm sure, Mr. Chair, you'll be interested in this next question. I didn't —

Chair's statement

Chair: Order please. During debate, members are not supposed to interject the Chair into debate. Even though the Chair might be interested, please keep the Chair uninvolved in the debate.

Mr. Cardiff: Thank you, Mr. Chair. I will attempt not to do that.

So the minister said that basically the ferry has to pass the inspection once a year. Can the minister tell me what the contingency plans are if the ferry doesn't pass the inspection?

Hon. Mr. Lang: We have an ongoing dialogue with the Coast Guard so it is no surprise when they come up. If anything needs doing to the ferry or they request something, we do it. So it is not a thing that would surprise us if the Coast Guard would come up and condemn the ferry. We have ongoing dialogue. They physically come in to make sure that the work that

was requested is done. They do a physical inspection of the ferry, but we have an ongoing dialogue with the Coast Guard to make sure we're keeping abreast of any issues.

Mr. Cardiff: Mr. Chair, I'd like to go back to the minister in his capacity as the minister responsible for the Property Management Agency. I'd like to ask him whether or not the Property Management Agency is involved and whether there is any money in the budget for the planning and construction of a multi-level health care facility in Dawson City.

Hon. Mr. Lang: That is in Health and Social Services, so that question could be asked when that minister next steps up.

Mr. Cardiff: I thought that the Property Management Agency was responsible for government buildings and that is where this would be appropriately addressed. Would the minister be able to give me an update on the Watson Lake health care facility, by any chance?

Hon. Mr. Lang: No, at the moment, I can't. The Property Management Agency is growing into this; we have just started this. I can imagine somewhere in the next fiscal year, these kinds of things would be transferred to the Property Management Agency. At the moment, however, they're still in the hands of Health and Social Services.

Mr. Cardiff: That's why it's taking so long.

Okay, let's move on to the climate change action plan. In the climate change action plan, Highways and Public Works is identified as one of the departments required to immediately start implementing the climate change action plan. Is the Department of Highways and Public Works prepared for it? Has a green action committee been formed? What is the process and who is on the committee? What is the plan for reducing emissions in the Department of Highways and Public Works?

Hon. Mr. Lang: I remind the member opposite that this is just a draft. Certainly, as soon as we get the final documentation, this department will be ready to move forward after consultation with the general public. We will be doing our part for whatever comes out of this consultation.

Mr. Cardiff: There's no action on the climate change action plan until it's final. It's a draft, so we'll sit on our hands.

We heard in the department briefing that the department is in the planning phase for public consultation about updating people on how people do business with the government. This includes a review of contracting regulations and the contract registry. What is the plan? When will that review be launched and when will the public be able to participate in it?

Hon. Mr. Lang: Of course, this is one of the many things that came out on the contracting and procurement system with the Auditor General. We committed to review it. We certainly are in the process of doing that at the moment. Stakeholders, including the business community, will be consulted during this review, which is going on as we speak.

Mr. Cardiff: I'm going to try to see if I can get through all of my questions here before the end of the day.

So far in 2008-09, the contract registry shows 477 sole-source contracts signed, valued at \$13.4 million, compared to 41 publicly advertised contracts, valued at \$6.1 million, and 44 contracts tendered by invitation, valued at \$1.8 million. This is

an issue we've raised before on many occasions. It seems to come up annually. There just doesn't seem to be any end to sole sourcing.

I'm just wondering whether or not the practice of sole sourcing is going to be reviewed? Can we expect to see a policy so that the government doesn't overuse sole-sourcing provisions?

Hon. Mr. Lang: In addressing the member opposite, sole sourcing is not what we would recommend, but sometimes it's the best situation for the government. We try to manage it and we are aware of it but, at the end of the day, we have to manage the department. Some of the sole sourcing is in the nature of our business.

Sole sourcing hasn't changed; it has been an issue for many, many years. We are certainly aware of it and we try to minimize it, but decisions have to be made internally to get the best value for the taxpayers' dollar spent by the department.

Mr. Cardiff: I will have to jog my memory on another question I have for the minister. I may have to come back tomorrow and ask him that question, because I don't have the information in front of me regarding government contracting policy.

Earlier this year, I raised a concern with the minister that the contractor working on a project did not hold the appropriate certification. I am talking about the Duke River bridge. Basically, it violated the regulations for the construction of the bridge — the fact that the persons who were actually doing the work apparently did not hold the proper certifications from the Canadian Welding Bureau.

The minister seemed to shrug this off at the time, but I consider it fairly serious. We invest a lot of money — employers invest a lot of money, the government invests a lot of money — in the education system and we should be very proud of our tradespeople and we should support those who go out and improve themselves and get these certifications. They are the ones who should be doing the work, especially when it's required not just by the contract but to meet the minister's National Safety Code probably and any rules around the building of bridges.

What has the minister done to address this issue and what kind of assurances can he provide that this is not going to happen again? We have another bridge that's due to be replaced out that way, the Slims River bridge, I believe.

There's lots of work needed. I think if you look in the Auditor General's report, bridges were a big part of the Auditor General's criticism about our highway infrastructure — that we need to pay more attention to them.

So this is a topic and a concern that is going to be valid for a long time. We'll probably be building new bridges and it will still be valid — not just upgrading bridges or replacing them. There may be new bridges being built and new highways, at some point.

What's the minister's response, please?

Hon. Mr. Lang: The notes I have here is that the choice to move the existing bridge — or, for this construction project, the contractor had the choice to build a new bridge or move the existing one. With the choice to move the existing

bridge, the Yukon government — ourselves — project specifications stated that an APEY registered engineer must design the abutments, design the move procedure, and certify the bridge as safe at the temporary location. These requirements have all been met by the contractor.

It is known that a certified welding company was on-site during the move and carried out the limited amount of welding required. All project activities are continually inspected, and consultants have also been retained to test various aspects of the work as required.

Mr. Cardiff: I have a question for the minister regarding the fleet vehicle agency. Last year's report said that a steady and ongoing increase in vehicle demand by client departments, coupled with the limited ability to purchase sufficient vehicles to meet that demand, had resulted in significant increases in third-party vehicle rentals during the past three years. Last year, the fleet vehicle agency was limited to spending \$1.2 million on new vehicles per year by the *Financial Administration Act* and said it would seek approval for a higher capital spending limit as part of the 2008-09 business planning process. Can the minister confirm whether or not this happened?

This goes back to my conversation with the Minister of Community Services on things that the government can do with regard to the climate change action plan. There's a steady and ongoing increase in vehicle demand by client departments, but is there a concerted effort by the fleet vehicle agency to promote car pooling when travelling to communities requires more than one vehicle?

So can the minister provide an update on the spending limit and any activities the fleet vehicle agency is doing regarding climate change?

Hon. Mr. Lang: In addressing the member opposite, the cap for the fleet vehicle will be visited this fall. I remind the member opposite that through devolution we got more responsibility and more vehicles to manage. That is an issue and that is where a lot of the growth comes from. We are very much aware.

Of course, with this climate change action plan we are — in transportation — going to be part and parcel of those decisions. We have started. Of the 46 vehicles purchased last year, in 2006-07, 17 were small four-cylinder vehicles, so that is 37 percent. That is growing, Mr. Chair.

I remind the member opposite that some of the vehicles that we have and some of the vehicles that we rent are one of a kind, so we do involve the business community to supply some of the vehicles we need, such as four-wheel-drive Suburbans and things like that, which we don't readily have in our fleet system. We certainly are aware of the action plan and what our obligations are going to be. We've been working at the redesign of our fleet — the mosaic of it — to grow into those kinds of issues and address them.

Mr. Chair, seeing the time, I move that we report progress.

Chair: It has been moved by Mr. Lang that Committee of the Whole report progress. Do members agree?

Some Hon. Members: Agreed.

Motion agreed to

Hon. Mr. Cathers: I move that the Speaker do now resume the Chair.

Chair: It has been moved by Mr. Cathers that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 11, entitled *First Appropriation Act, 2008-09*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.

The following documents were filed May 13, 2008:

08-1-61

Queen's Printer Agency 2008/2009 Business Plan (Lang)

08-1-62

Yukon Minerals Advisory Board 2006/2007 Annual Report (Lang)