

**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, December 1, 2008 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of World AIDS Day and Aboriginal AIDS Awareness Week

Hon. Mr. Hart: Mr. Speaker, today is World AIDS Day. I rise today to ask my colleagues to join me in reaffirming this government's commitment to continuing the fight against HIV/AIDS.

Monsieur le Président, en cette Journée mondiale contre du SIDA, j'invite mes collègues à se joindre à moi pour réaffirmer l'engagement de notre gouvernement à lutter contre le VIH et le SIDA.

According to the joint United Nations program on HIV/AIDS, infection rates continue to rise worldwide due to poverty, poor health systems and limited resources for prevention and care. In the sub-Saharan Africa, estimates show that 20 to 26 percent of people ages 15 to 49 are living with HIV. We have seen the effects of this disease on an entire generation. Central America and the Caribbean countries are also experiencing growing HIV epidemics.

In Canada, unprotected sex between men is still the primary cause of spreading infection. High-risk heterosexual sex is another major cause of transmission, and aboriginal peoples are disproportionately affected by HIV/AIDS. Yet, in the nearly 30 years since it was first reported, a combination of medical research and political will to fight AIDS has led to significant progress in how we view and treat this disease.

Life expectancy of an AIDS patient has increased and the negative stigma attached to those afflicted has been largely replaced with compassion. We are fighting back against this disease.

The Yukon remains committed to raising awareness of HIV and AIDS. We believe that education is one of the key strategies in preventing the spread of this disease. The Outreach nurse works with Blood Ties Four Directions to promote public health and prevention of the disease. Our funding assists Blood Ties Four Directions' education, awareness and support initiatives, and we support their needle exchange program in a harm reduction effort.

Our health promotion unit continues to work with youth to raise awareness about safe sex practices and protection of self and others. We also support the Outreach van to ensure that the at-risk population has access to information and care.

The theme of the 2007-08 World AIDS Day is "Leadership". I believe the Government of Yukon is showing strong leadership in the struggle to prevent the spread of AIDS.

The fight against AIDS is long term, and it will be won through education, prevention and research. It will be won — thanks to the dedication and the caring of all health care workers.

I would also like to remind the members that there is a commemorative arts event this evening called "AIDS and the Arts", and it's called "Keep the Flame Burning". This event is being held today at the Yukon Artists at Work gallery in McCrae from 4:00 p.m. to 8:00 p.m. You will be able to see and bid on the wonderful works of art that were displayed in the lobby last week.

Mr. Speaker, I ask all members to join me in welcoming Patricia Bacon and other supporters who are here to help raise awareness of World AIDS Day, and to thank them for organizing tonight's Keep the Flame Burning event.

Applause

Mr. Mitchell: Mr. Speaker, I rise today on behalf of the Official Opposition to pay tribute to World AIDS Day and HIV/AIDS Awareness Week. This year marks the 20th anniversary of the global World AIDS Day campaign.

La Journée mondiale contre le SIDA est le jour où les individus et les organismes de partout dans le monde viennent ensemble pour apporter l'attention à l'épidémie de SIDA globale. Le thème de cette année de Journée mondiale contre le SIDA est conduite et le thème de cette année réglé de campagne de SIDA du monde pour la Journée mondiale contre le SIDA comme mener-autorisez-livrez.

World AIDS Day is the day when individuals and organizations from around the world come together to bring attention to the global AIDS epidemic. This year's World AIDS Day theme is "Leadership" and the World AIDS campaign set this year's theme for World AIDS Day as "Lead-Empower-Deliver."

Since 1998, the face of and response to AIDS has greatly changed. While many of these changes are positive, this anniversary offers us an opportunity to highlight how much more still needs to be done. With an estimate of over 33 million people currently living with HIV/AIDS globally, it is time for all of us to stop AIDS and keep the promise.

In Canada, a total of 61,423 HIV-positive tests were reported to the Public Health Agency of Canada from 1985 to 2006. One can become infected with HIV/AIDS regardless of gender, age, sexual orientation, or ethnic origin by having unprotected sex, sharing needles or any blood-to-blood contact with anyone infected with HIV. While treatment for HIV/AIDS has improved and despite HIV awareness now reaching nearly all areas of the globe, infection rates are still happening 2.7 times faster than the increase in the number of people receiving treatment.

In Canada, one person is infected with HIV/AIDS approximately every two hours. Stigma and discrimination are major obstacles to effective HIV/AIDS prevention, support and care. Fear of discrimination may prevent many people from

seeking information, treatment and support or from acknowledging their HIV status.

In the Yukon, a total of 47 HIV-positive tests were reported by the Yukon communicable disease control unit between 1985 and June 2006, with a total of eight AIDS cases as of 2003. Awareness week 2008 will attempt to once again put HIV/AIDS on the radar and bring to the forefront the importance of being informed, getting treatment and preventing the spread in the hope that we can one day see a generation without HIV/AIDS.

Individuals must feel empowered to access treatment, to know their rights and take action against stigma and discrimination, and to know and use methods of prevention against receiving and transmitting HIV. Blood Ties Four Directions centre, located in Whitehorse, is a charitable non-profit organization with a mandate to promote awareness and prevention education for HIV/AIDS and hepatitis C. They also provide support, counselling and advocacy for those affected by HIV/AIDS and hepatitis C in Whitehorse and all Yukon communities.

The No Fixed Address van in Whitehorse also provides a health educator from Blood Ties Four Directions, offering health education and referral services.

World AIDS Day is about reminding us that HIV/AIDS is an issue for everyone. It remains a serious disease for which there is still no cure, and awareness and prevention is the best defence against its spread.

The red ribbon we wear today is a symbol of solidarity with and tolerance for those often discriminated against by the public — the people living with HIV and AIDS. We wear the ribbon as a symbol of support. As the minister said, I would also like to remind all members of the Assembly and members of the public who are listening of the fundraiser tonight, the auction at the Yukon Artists at Work site in the McCrae industrial area, from 4:00 to 8:00 p.m.

Nous voudrions remercier les nombreux ligne de fronts ouvriers, professionnels de soins de santé, éducateurs, conseillers et volontaires pour leurs services et efforts de support vers combattre cette maladie terrible.

We would like to thank the many front line workers, health care professionals, educators, counsellors and volunteers for their support services and efforts toward fighting this terrible disease.

Let's stop AIDS. Keep the promise.

Merci, monsieur le Président. Thank you, Mr. Speaker.

Mr. Edzerza: I rise on behalf of the NDP caucus to pay tribute to the 20th anniversary of World AIDS Day and to pay tribute to Aboriginal AIDS Awareness Week. Although AIDS was not even identified 25 years ago, it is now the fourth leading cause of death in the world.

It is one of the most destructive epidemics in recorded history. AIDS has killed more than 25 million people, and 38.6 million people are living with HIV.

In sub-Saharan Africa, 13 million children have been orphaned by HIV/AIDS, and it is estimated that by 2010 as many as 20 million children will be orphaned by AIDS worldwide.

The Stephen Lewis Foundation works with grandmothers and children affected by AIDS in Africa and the local chapter of the Grandmothers to Grandmothers project is very active.

In North America, there were 46,000 new HIV infections in 2007. This is an increase of 4.5 percent since 2001. Remarkably, in contrast, the percentage of new infections was lowered in Africa, the Caribbean, Latin America, and the Middle East during the same time period.

Some of this increase in Canada is due to the increase in infected women and the over-representation of aboriginal persons with the disease. Aboriginal people are slightly more than three percent of the total Canadian population, yet they represent almost 16 percent of the total number of people living with HIV in Canada. The overall infection rate among aboriginal persons is about three times higher than among non-aboriginal persons.

Why is this? Cultural factors play a part. Many aboriginal people are uncomfortable discussing matters of sex. A positive diagnosis is not well hidden in most close communities, and the stigma is avoided as much as possible. Delays in testing mean delays in treatment. Generational gaps mean the elders are unaware of how AIDS has affected young people in their communities. Social conditions affect the rate of this disease with aboriginal people. Half of them live in rural areas with little connection to services that are more readily available in cities. Injection drugs use strongly influences the high percentage of affected aboriginal people, as over half were exposed to the virus through this means.

The most important factor affecting the high rate of infection is poverty. Poor general health due to malnutrition means HIV/AIDS spreads quickly. The Canadian Aboriginal AIDS Network has member organizations across Canada. It encourages aboriginal people to be part of the solution to help end HIV infections through its Web site, educational events and its toll-free number. Locally, Blood Ties Four Directions is part of their network. We look to the day when the rate of HIV infections for Canadians, as a whole, is under control and eventually eliminated.

Thank you.

In recognition of National Safe Driving Week

Hon. Mr. Lang: I rise today on behalf of the House to recognize National Safe Driving Week. Canada Safety Council has chosen this week to remind Canadians not only to examine how they drive but also to focus on driving safely. In order to contribute to this national and territorial goal, it is important for Yukon drivers to be mindful of winter driving conditions. The theme for this National Safe Driving Week is “weather wise, be prepared” — a theme that is very important to all Yukon drivers to keep in mind. It is important to be prepared before heading out on the road by equipping our vehicles with all the necessities for winter driving conditions, including winter tires, emergency kits and spare tires in good condition.

Yukon winters are long and weather conditions can change rapidly. This reality is often forgotten by many drivers, especially in December with all of the holiday season celebrations. Yukon, along with the rest of Canada, is part of Road Safety Vision 2010, a national road safety plan that aims to make

Canada's roads the safest in the world. Yukoners need to stay focused on safe driving habits, drive according to weather and road conditions. Speed limits have been set and are intended for ideal driving conditions. Give yourself extra time to reach your destination — speeding is a leading cause of car accidents — and always wear your seat belt. Don't drink and drive; plan ahead, especially during the December festivities. Be prepared with alternate transportation.

Road conditions affect most Yukoners. The Department of Highways and Public Works has a proactive approach to ensure Yukon highways are the safest they can be for all travelers. From October through to February, the Department of Highways and Public Works runs an annual winter driving campaign. The main goals are to create awareness and to remind Yukoners to take additional driving precautions during the winter season.

I wish to thank the transportation maintenance staff for their efforts and dedication to keep our roads safe for Yukoners and visitors alike. It is important to remember that road maintenance alone will not ensure drivers' safety. Drivers need to be responsible, cautious and able at all necessary safety measures for the benefit of all travelers. I urge Yukoners to unite to make a difference and save lives for a better community and a better future.

Avoid unnecessary fatalities to save the lives of your colleagues, neighbours, friends and families.

Thank you, Mr. Speaker.

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

TABLING RETURNS AND DOCUMENTS

Speaker: Under tabling of returns and documents, the Chair has for tabling the report of the Chief Electoral Officer of Yukon on Election-Related Matters, 2008.

Are there any further returns or documents for tabling?

Mr. Cardiff: I have for tabling, a written question to the Premier about the audit of contracts.

Speaker: Any further documents for tabling?
Are there any reports of committees?
Are there any petitions?
Are there any bills to be introduced?
Are there any notices of motion?

NOTICES OF MOTION

Mr. Mitchell: I have the following notice of motion for the production of papers:

THAT this House do issue an order for the return of all papers, documents and records relating to the report on the audit of contracts that show which recommendations the government has adopted already and which recommendations it plans to implement.

Mr. Edzerza: I give notice of the following motion:
THAT this House urges the Yukon government to recognize by further financing the vital work being done by the non-

government organization, Blood Ties Four Directions, in order to allow it to better meet the needs of persons affected by hepatitis C and aboriginal and rural persons.

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

THAT this House supports the option of a progressive coalition made up of a majority of votes and seats in the most recent federal election to govern Canada as the minority Harper Conservatives have failed to bring forward a much-needed economic stimulus package during this period of financial turmoil.

As well, I give notice of the following motion:

THAT this House urges the Yukon government to address the overwhelmingly unbalanced influence and control exercised by the Department of Energy, Mines and Resources in matters of land and forests, fish, wildlife and habitat and watersheds by transferring these responsibilities to the Department of Environment so that these important environmental matters are not treated as secondary to resource extraction and economic development.

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

THAT this House urges all Members of Parliament to work cooperatively for the common good of Canadians to provide political stability at this time of economic uncertainty created by the downturn in the global economy.

Speaker: Are there any further notices of motion?
Hearing none, is there a statement by a minister?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Economic stimulus

Mr. Mitchell: Mr. Speaker, a recession is coming to Canada, and that means Yukon as well. Governments everywhere are scrambling to put plans in place to meet the challenge head on. Fiscal stimulus should be immediate in its impact on the economy. Infrastructure spending may be useful in the long run for growth; however, it is only helpful in the short term if the plans are ready to proceed, including the regulatory approvals. Otherwise, the projects may not occur for two or three years, when the economy may well already be on its way to recovery.

Projects such as a new F.H. Collins high school would provide immediate assistance to the construction sector if the plans were all in place. What plans does the Finance minister have to create immediate new economic stimulus, and when will he announce them?

Hon. Mr. Fentie: In this sitting we are debating a supplementary budget that is inclusive of not only taking care of public safety and the health needs of Yukoners, but also investment in infrastructure. Secondly, I think it's important we recognize that, in the country, we're taking a very coordinated approach to the issue, so the provinces, territories and the national government are working in a collaborative manner to

address this issue so Canada is better able to manage its way through the cycle.

As far as Yukon, not only do we have a number of projects in progress, we have a number of projects ready to proceed, including highway work, building construction and other investments, such as the investment in people, in dealing with the labour market issues here in the Yukon, so that does not become a compounding factor in the situation we will be dealing with.

Mr. Mitchell: I'm a little concerned if the Premier is referring to the coordinated approach brought forward to date by the Prime Minister.

The Finance minister needs to create some confidence in financial sectors in Yukon. Construction companies, the many companies that support those companies and the hundreds of Yukoners who work there need to know that this government has a plan. They need to hear now which projects will be advancing early in the new year. That is why past governments tabled their capital estimates in the fall sitting. Banks need to know that new work is on the horizon so that credit doesn't dry up or loans are called prematurely. Confidence is important at times like these and that can only come from the top. Silence does not bestow confidence, Mr. Speaker. What measures can the Finance minister tell this House that his government is taking in order to assure Yukoners that their future will not be jeopardized by an indecisive and ill-prepared government?

Hon. Mr. Fentie: Mr. Speaker, you know, in trying to make sure we maintain a high level of decorum, it is a little difficult when comments and assertions are made such as "indecisive" when you consider the evidence before this territory today after six years of a Yukon Party government's leadership in the economy and in building Yukon's future. That said, Mr. Speaker, we are working very closely with key stakeholders in regard to managing our way through the cycle. The fact of the matter is that we have a lot of options available to us because of the six years of prudent fiscal management that we have undertaken.

We have had six consecutive years of year-end surpluses. We have built up a very healthy net financial resource position. All key stakeholder groups are extremely positive about the approach we're taking, but I can offer the Leader of the Official Opposition this advice: talk to those key stakeholder groups.

I have articulated here recently what they are saying. They are saying to stay the course, not create one. They are saying to maintain the investment strategies that we have in place, not create them. It's pretty obvious that what we're doing is the right thing.

Mr. Mitchell: Well, we hope that the minister doesn't intend to stay the course with investments in asset-backed commercial paper. And if he feels that the word "indecisive" is a question of decorum, then he should be looking at his previous answers to questions.

Fiscal stimulus policies that help in the short term are best if they can generate long-term growth. Income tax cuts for lower- and middle-income earners put more money back in the economy, which helps to keep the local retail and wholesale trades and businesses healthy. There must be a balanced ap-

proach to this economic Pandora's box. There must be new projects to stimulate the economy by keeping people working. There must be actions that are seen as confidence-building measures for the financial community. And there must be incentives for those with permanent jobs to spend more, which can also be done with tax cuts for low- and middle-income earners.

Will the Finance minister take these three points under advisement and commit to bring forth a new fiscal update before the end of this calendar year?

Hon. Mr. Fentie: Frankly, what the member has referred to is happening and has been happening in the Yukon for quite some time. I think the problem for the Leader of the Official Opposition and the opposition members in this House is they've opposed those initiatives. They've opposed tax cuts we've brought forward in budgets. They've opposed investment in hydro infrastructure that is making Yukon more competitive and a more attractive place for investment, giving access to energy. They've opposed investments in highway reconstruction; they've opposed investments in all kinds of capital projects that have helped to stimulate the territory. But the one thing the member has missed in his assertions and positioning is the fact that the government is focused heavily on building a private sector and that's why this supplementary shows, once again, an increase in own-source revenues.

So not only is this government of the day, the Yukon Party government, focused on stimulus and investing where it can, but it's very focused on building the private sector.

Question re: Asset-backed commercial paper investments

Mr. Mitchell: Last week I asked the Finance minister a question regarding the government's investments in the ABCP market. The purpose of my previous question was to identify why these investments were made and how the current situation might have been averted.

Today I want to address the value of these investments as they currently exist. The value of any investment is what it can be sold for in the market, not what it might be worth in eight years, and also not what you paid for it. If you sell something for one dollar, then it's worth one dollar. If you can only sell it for 50 cents, then it's only worth 50 cents.

So my question for the Finance minister: what is the current value of the government's \$36.5-million investment in the asset-backed commercial paper market?

Hon. Mr. Fentie: The Leader of the Official Opposition knows full well what the value is: it's in our public accounts. For the member to be asking this kind of question — and I hear the kibitzing from his colleagues who think this is quite funny — that's not what the government is going to do. We committed ourselves to raising the debate in this House, to improving decorum. The member is asking a question and he knows full well that the information is all in public accounts. The Auditor General has scrutinized those public accounts, so this question is, frankly, a question that may lead to discord.

Mr. Mitchell: It sounds like the Premier now wants to make the rulings. Perhaps he should swap jobs. We on this side of the House are fully aware —

Speaker's statement

Speaker: Please. I would urge the honourable member not to get the Chair involved in his questions.

The Leader of the Official Opposition has the floor.

Mr. Mitchell: Thank you, Mr. Speaker. We on this side of the House are fully aware that these restructured bonds are not yet listed. However, that has not prevented those in the know from coming fairly close to suggesting what the current values of these investments are. I'm sure that officials within the department, who know precisely whom to ask, have come up with a realistic range of their true worth. Are they worth 100 cents on the dollar? Ninety cents? Seventy-five? Or fifty cents on the dollar? The Premier must have some sense of their value. Surely he has asked, Mr. Speaker — not what they were worth last March 31; what they're worth today. What present value have the department officials been able to assign to these investments?

Hon. Mr. Fentie: Well, to avoid any sort of speculative debate, I'll have to repeat my response, Mr. Speaker: that's what the public accounts are all about.

And just for clarification: no, I'm not looking for another job. In fact, I'm quite comfortable in the job that I am in and very pleased and honoured that I've been able to serve this territory over the past six years as Premier, and I intend to keep on doing so. So I hope that doesn't shatter the member's day.

Mr. Mitchell: Well, Mr. Speaker, I see the minister is struggling with this, so allow me to help him out with some numbers — numbers that appear to be factual in terms of their source.

Andrew Willis, a business reporter with *The Globe and Mail*, said in an article dated November 27, "Most observers see 68 cents on the dollar as an optimistic valuation on this debt; bond traders say in current credit markets, an average of 50 cents to 60 cents on the dollar is probably more realistic.."

Mr. Speaker, using those numbers, the value of Yukon's \$36.5-million investment has shrunk dramatically. The losses are huge, Mr. Speaker. Based on those numbers, Yukon's potential losses could be in the range of \$14.6 to \$18.25 million. Now I know the minister can't do anything about that. That horse left the barn long ago. However, the Premier can do one thing: will the Premier just be up front with Yukoners and tell them the facts and what the present value of their \$36.5-million investment is?

Hon. Mr. Fentie: Mr. Speaker, the member is reciting numbers that are completely inconsistent with what the public accounts have demonstrated. On the one hand, the Official Opposition places a great deal of emphasis on what the Auditor General says and what is in the public accounts and what is in audit reports. But on a matter of convenience, on other issues, they seem to deviate from that position, Mr. Speaker.

The facts are, the public accounts are very clear, scrutinized by the Auditor General; those are the numbers. But there is something here that has shrunk and that is the scope of the questions coming from the Official Opposition. One would hope that we could engage in a debate on a much broader perspective of this territory and its future.

Question re: Working Without Boundaries report

Mr. Hardy: In 2004, a report was written for this government by an interdepartmental collaboration working group from Justice, Health and Social Services, and Education. The report was called *Working Without Boundaries: Interdepartmental Collaboration*, which I have three copies of, and I will table them today.

It was meant to eliminate the so-called "silos of operation" in the departments, something a former Minister of Health and Social Services often commented on. The report says that collaboration positively impacts decision-making, coordination, accurate risk assessments, proper planning and monitoring, providing comprehensive and appropriate services and early intervention and prevention.

So my question is, will the minister responsible for the Public Service Commission tell us what has been accomplished toward this valuable interdepartmental collaboration in the four years since this report was written?

Hon. Mr. Hart: I thank the member opposite for his question, and I will advise him that we are reviewing the information provided through the Public Service Commission and we are acting on the recommendations therefrom.

Mr. Hardy: I'd like to point out to the minister opposite that this report is four years old. How long is this review going to happen? In the *Working Without Boundaries* report, information sharing and best practices are said to be fundamental to providing the best possible assistance and services to a client. One of the primary recommendations in the report is to develop a common case management framework across departments. A recommendation is also made to develop detailed forms and guidelines around information sharing. It says the legislation should be clear regarding what information can and cannot be shared.

Has any progress been made in these three important areas over the past four years?

Hon. Mr. Hart: For the member opposite, we are working on the report and improving our morale through our department as well as the efficiency of the operation. We currently have hired a consultant to assist us in working out the process and that is currently underway.

Mr. Hardy: The minister didn't answer the question. I really am wondering if he's aware of this report at all. To put it into perspective, we've been hearing from various sources within departments that there are problems and it hasn't changed. This report revealed that staff in many of these departments lack support and direction from upper management for working with the community and with colleagues. As a result, the delivery of front-line services by Education, Health and Social Services and Justice to children and families at risk, for example, is being hampered.

When will the minister implement the many good recommendations in the report so that the staff in these departments can start collaborating effectively and efficiently?

Hon. Mr. Hart: For the member opposite, I will reiterate what I said earlier. We are acting on issues of that report and also on reports that we have gathered from our own Public Service Commission, and we have got a consultant that is spe-

cifically addressing the issues that the member opposite is indicating. We have a consultant who is dealing with our front-line staff. That is currently well underway. We have interviews taking place right now dealing with the situation that the member opposite has indicated. We are working with our front-line people. We are looking at the results of that, and we will be acting on the recommendations brought forward by the consultant.

Question re: Victim services

Mr. Cardiff: Mr. Speaker, we certainly endorse the move to increase collaborative policies between the three departments that work most closely with Yukoners — that being the Department of Justice, the Department of Health and Social Services and the Education department. Will the Minister of Justice tell us how the *Working Without Boundaries* report has affected her department?

Hon. Ms. Horne: I will have to get back with the specifics of the question later. My apologies, Mr. Speaker.

Mr. Cardiff: A year ago we asked questions of the Minister of Justice on the arbitrary move of victim services away from the family violence prevention unit. Unfortunately, she seemed unaware of the move at the time and we're still waiting for a reply.

For years, these two units worked in close communication and collaboration with shared clients and families, and their work has been instrumental in saving children at risk and working with their families, and it has been recognized nationally. Separating the two units means a lack of ready communication between them, which affects their daily work.

How does the minister justify the physical separation of these two units?

Hon. Ms. Horne: There were perceived problems at the beginning of the move and things have seemed to move quite smoothly along. The protection of the victims is assured. Staff is happy with the move and the victims are happy with the move. There is more protection.

Mr. Cardiff: Well, I think the minister may be a little out of touch. Not only has the physical move affected vital communications between professionals working with at-risk families, it has meant that the needs of victims of abuse have been ignored. They must now enter a windowless foyer, turn a blind corner and walk up two flights of stairs to see their workers. This dark and unprotected entrance adds to the victims' discomfort when trying to access services. Some of the barriers to communication and collaboration outlined in the *Working Without Boundaries* report are managers who restrict communications among workers, a lack of trust among agencies and a political agenda. Which of these barriers are in place in the case of victim services and family violence prevention unit?

Hon. Ms. Horne: None of these are applicable. The safety of the victims and children is very, very important to this government and that is why the move was made in the first place.

Question re: Human Rights Act amendments

Mr. Inverarity: I would like to question the Minister of Justice regarding the Select Committee on Human Rights

report. There are some good suggestions that have come forward from the committee's work — good suggestions that could be put into effect sooner than later. One suggestion involved changing the way in which the Human Rights Commission is funded.

Will the Minister of Justice consider changing the way the funding is appropriated for the Human Rights Commission?

Hon. Ms. Horne: As I reported last week, the department is doing a review of the recommendations that were put forward. When we do make any changes, we'll make sure they're done correctly with time.

Mr. Inverarity: One of the many good suggestions in the report by the Select Committee on Human Rights was a concern raised about how the Human Rights Commission has been funded. Currently the Human Rights Commission is funded through the Department of Justice. Essentially, it was suggested that funding for the Human Rights Commission be appropriated through some other budgetary authority — for example, the Yukon Legislative Assembly.

Will the minister consider following through on that suggestion?

Hon. Ms. Horne: Again I reiterate: any changes that are made will be done very carefully and with forethought.

Mr. Inverarity: The suggestion that I speak of was brought forward by Yukon government employees and other Yukoners who are concerned that the Human Rights Commission may not be independent enough from government to be effective to fulfill its mandate.

It is estimated that a large percentage of the human rights complaints that are filed are filed by government employees against the Government of Yukon. When these complaints are then defended through the Department of Justice, it becomes easy to see why government employees feel that they are fighting the system.

Will the minister accept the suggestion to find an alternative budget authority to fund the Yukon Human Rights Commission? I should point out that this does not require an act change, just willingness on the minister's part.

Hon. Ms. Horne: The government has steadily and readily increased the funding for the Yukon Human Rights Commission. For example, their annual budget was increased by \$27,000 in 2007-08, to \$478,000. An additional \$40,000 was approved in 2007-08 for increased costs due to unusually large expenditures incurred for legal investigations, board of adjudication costs, moving, and other related charges.

We are very careful that the Human Rights Commission is indeed independent and at arm's length from the Justice department.

Question re: Teslin library mould

Mr. Fairclough: I have a question about the Teslin library. Since October 2007 it has been known that the Teslin Library has had a problem with mould in the basement. The Village of Teslin sent a letter informing tenants to find a new space and gave them a year to do so. In light of this, Canada Post and the bank that occupied the same building removed all employees from the building. The Yukon Party government, on the other hand, chose not to remove the library or the librarian.

No inspections have been conducted in the last year to check on the mould situation. This building is still contaminated with mould and the librarian continues to work in this environment. Will the minister explain why the librarian was left in this situation while all other occupants of the building were removed?

Hon. Mr. Lang: Mr. Speaker, the building was totally looked at less than 12 months ago. At that time they did a review. We as a government are concerned. We have been working with the local library board, which employs the librarian. We have had people on the ground there this weekend — Occupational Health and Safety is down there as we speak. So, Mr. Speaker, we are concerned for the well-being of the librarian. I remind the House the librarian works for the library board, which is a local board, and we are concerned about the building. Public Works had put an individual in charge of overseeing the results of this review that has been done over the last four or five days.

The library will not open until Wednesday, but certainly if that review isn't done, the library won't open on Wednesday, so we are very positive. We are looking at this thing, but when the member says that it hasn't been reviewed over a long period of time, he is incorrect. There was a total review 12 months ago.

Mr. Fairclough: Still, the librarian works there, Mr. Speaker. The mould situation may have been cleaned up when it was first brought to light, but there was no ongoing monitoring of the building to make sure there was no return of the mould.

Now, the other occupants, the bank and the post office, chose to remove their employees from this potentially dangerous health concern, yet the Yukon Party government did not. The Yukon government chose to remain in the building without having any ongoing inspections done or checking on the health of the librarian. This mould did come back and the minister was informed of the situation at a community meeting in Teslin on October 20. At that time, the minister promised that the problem would be dealt with and a new space would be found for the library. So will the minister inform us where the library will be moved and whether or not new books have to be purchased?

Hon. Mr. Lang: That's exactly what we're doing, Mr. Speaker; we're putting a process out, an RFP out as we speak, to look for a new location. We're committed to be out of the building by March. The building is owned by the Village of Teslin. The library board is the agency that runs the library in Teslin. The employee is not a government employee, but if there is a question of mould or of the building not being habitable, we will not reopen that library.

Mr. Fairclough: The minister didn't answer the question either. The Village of Teslin gave the Yukon Party government a deadline of a year from October to find a new space — ample time for the government to do so — yet the library and the librarian remain in the building, and a year has gone past. Not only is this government exposing an employee to a hazardous work environment, but they are exposing every Yukoner who walks in to use this library. The books are being

exposed to mould and depending on the situation, may very well need to be destroyed, even if the library is relocated. The librarian was informed she would remain in the building until March of 2009 — five months longer than any other person in the building.

Will the minister explain why the library is not moving to a new space until five months after the deadline given by the village and whether or not the old books have to be destroyed?

Hon. Mr. Lang: For the member opposite, we're doing an overview of the situation in the Teslin library, working in conjunction with the library board in Teslin and doing what we can to maintain the library in Teslin.

But I'll repeat — if we don't see an improvement or if, in fact, there is a mould question in that library, it will be a different story. There was a thorough review 12 months ago, and now we had Property Management down there over the weekend. We have Occupational Health and Safety down there the beginning of this week and we have an individual from Property Management spearheading this oversight to make sure we can get the decision back very promptly on whether, in fact, we can continue using that building.

Question re: Economic outlook in Yukon

Mr. Hardy: A few weeks ago I asked this Premier if he would consider creating an economic summit to look at the financial visioning for the territory, particularly around the fact that there is a financial crisis that has spread throughout the world and, without a doubt, will have an impact on Yukon's fortunes and also its ability to engage people.

Now, the Premier has indicated that he has already met with key stakeholders, which I find quite interesting, and he doesn't feel that an economic summit is warranted.

Could the minister or the Premier please tell me who those key stakeholders are?

Hon. Mr. Fentie: Mr. Speaker, the conscious choice of acting quickly was made and that is why convening summits and these types of discussions — we chose not to go that direction. We chose to deal with those who are on the front line, on the ground, dealing with the issues on a day-to-day regular basis.

So the list of key stakeholders includes: Association of Yukon Communities; First Nation governments; representatives from the arts and cultural community, which included film and sound; representatives from the Chamber of Mines; the Chambers of Commerce; the Yukon Contractors Association; and of course, we also created the deputy head committee, which is an internal working group in government to monitor trends and to allow the government to act where needed in a more expeditious manner. The deputy head committee also works regularly with the key stakeholder groups throughout the territory as we continue to manage our way through the cycle. It also included the tourism association, Mr. Speaker.

Every one of the groups is making a contribution now as we speak on how we go forward in managing our territory and its situation, given the global cycle.

Mr. Hardy: Mr. Speaker, he has listed some groups that he has met with. I'm not exactly sure if he has called these meetings to consult with these organizations and First Nation

groups. I'm also not exactly comfortable that it's a very limited number of key stakeholders, when the financial troubles that could be coming toward the Yukon will involve all people of this territory and many other areas that he has talked about. I guess my question around that is that he doesn't believe the economic summit has any merit. The economic summit does have a merit: it would be transparent, we would know what's happening, and the public would be able to see what's happening. How about an economic council or a council on financial waste, which we seem to be dealing with, with this government?

Mr. Speaker, I would like the Premier to stand up and say what action has been taken from these meetings and when these meetings happened.

Hon. Mr. Fentie: Well, you know, Mr. Speaker, I think maybe the best course of action for the Leader of the Third Party is to contact all those groups to see what they think. But I can assure the member opposite that the work we've undertaken in the past, today, and going into the future is to address exactly the issue he speaks of: to ensure Yukon can manage its way through this global cycle.

But I'd like to make reference to some of the comments that have come out of those discussions. It's quite important that we recognize that the representative groups, the key stakeholder groups in the territory, who represent a broad cross-section of the economy of the Yukon — and of course the focus here is on the economic engines that are running and maintaining our diversity in our economy — they clearly state that the government should also maintain the stabilizing role that it is known for with respect to the Yukon economy. It also states clearly that now is not the time to panic; now is not the time to start running around creating all kinds of scenarios that may not and probably will not have any positive impact on the situation at all. It's time to be prudent, time to be very diligent, and time to work closely with key stakeholders and act where we must.

Mr. Hardy: If I close my eyes, I can imagine the Premier repeating the words that come out of the Prime Minister's mouth in this regard: "It's not the time to take this seriously."

Well, guess what? The Prime Minister is scrambling because there is an economic meltdown in Ontario and in other provinces.

The reality has finally hit home. I would like to know from the Premier that we are taking steps to prevent that. I don't think the people of this territory are going to be fooled by the kind of statements that we've heard.

So let's get it on the record. Let's get it out there what has really been happening. Put on the record when the meetings happened specifically around this issue, as the Premier indicated earlier. What discussions happened, and who was involved in those meetings?

Hon. Mr. Fentie: I've just provided that. But Mr. Speaker, the words the member referred to aren't my words — as to what the Prime Minister may or may not have said. These are the words coming from Yukoners, who are part of these key stakeholder groups.

Furthermore, to suggest that in this country nothing is being done is somewhat confusing considering there are billions

of dollars of guarantees made available to banks and for mortgages. There is significant work going on right now in a Commons working group among federal officials, provincial officials, territorial officials working on pensions, regulatory issues, labour mobility and access to capital. And here in the Yukon, the member knows full well that the government has embarked on fiscal prudence, as it has since 2002. It will continue that.

It is going to continue to host these discussions with key stakeholders. It is promoting research and development in this territory. It has already struck the internal working group. It is also expanding trade beyond our traditional trading partners — of course, China being one of those and we know what is happening there — encouraging the federal government to continue to make strategic investments and, of course, always working with our First Nation governments so that we close the economic gap of opportunity for Yukon First Nations.

Mr. Speaker, the government has got this well in hand.

Speaker: The time for Question Period has now elapsed. We will proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 60: Second Reading

Clerk: Second reading, Bill No. 60, standing in the name of the Hon. Ms. Horne.

Hon. Ms. Horne: Mr. Speaker, I move that Bill No. 60, entitled *Act to Amend the Judicature Act*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 60, entitled *Act to Amend the Judicature Act*, be now read a second time.

Hon. Ms. Horne: Mr. Speaker, I have a few introductory comments to this bill. I will summarize what the changes mean. I would like to provide a brief background that will explain what the previous situation was and why we are making this change.

I would also like to share with this Assembly some of the feedback we've received from the courts. I will then outline a few of the benefits of this change.

This amendment to the *Judicature Act* gives the power to make rules of court to the Commissioner in Executive Council on the recommendation of the judges. Currently, we have been following British Columbia's rules of court, with changes being made by practice directives issued by the Supreme Court. The problem with the B.C. rules is that they are not available in French, and may not necessarily fit the Yukon context. As well, it is possible for B.C. to change their rules, which would mean that Yukon's would change. Yukon could possibly find itself in a situation where we are spending money translating and updating rules of court that are not relevant to our situation.

As the Yukon Court of Appeal ruled in September 2007, not having the rules of court available in French contravened our *Languages Act*. This amendment allows us to fulfill our

obligations under the *Languages Act*, and therefore improves access to justice for francophones.

The amendment represents an evolution in our department as a territory, as it allows us to directly make our own rules of court.

As members of this Assembly well know, our government has consistently upheld the principles of assuming more responsibilities for governing ourselves. This bill is one more step in that journey to responsible government. We have come a long way from when the federal government declared Yukon a separate territory in 1898 with a Commissioner and six appointed council members.

Justice, along with Highways, was one of the first areas that Yukoners had transferred to territorial control from various federal departments. Of course, with the Jake Epp letter of 1979, Yukon again took a major step forward in assuming more control of local affairs.

We have continued this trajectory toward more responsible local government with devolution. Given our small size, Yukoners have understood that from time to time, we will need to borrow from other jurisdictions. This is one such example where this practice is no longer a good fit.

In the past, we have used B.C.'s rules of court. Now our rules of court will fit the way we want to run our courts here in the Yukon.

I would like to share with members opposite that the court supports this development. In their press release of September 9 of this year, they noted that the rules committee of the Supreme Court of Yukon has been preparing the new rules since 2005. These rules are now on the court's Web site in both French and English. The rules became effective September 15, 2008. The new rules of court follow the structure of the former rules so that, to some extent, the new rules are similar to the former rules.

However, the new rules are more Yukon-friendly and reflect the applicable Yukon statutes, as well as addressing some important changes to ensure access to justice.

Mr. Speaker, I would like to note some of the changes that the Supreme Court noted in their press release to the rules of court. These changes include the following: dropping the ancient writ of summons format for the simpler statement of claim; providing mandatory case management early in the proceeding to ensure that the cases move as quickly as possible; providing the ability to request litigants to appear to explain delays and why the court has not processed a trial in one year; introducing the principle of proportionality to ensure the just, speedy and inexpensive determination of cases based upon the amount of money involved, the importance of the issues, and the complexity of the proceedings.

The court will continue to utilize settlement conferences, family law case conferences, and case management to assist in the timely conclusion and hearing of cases.

The amendment to the *Regulations Act* is a consequential amendment, removing the rules of court from the list of exceptions to the definition of a regulation. This means that with the amendment to the *Judicature Act*, the rules of court will be a regulation.

I am requesting that the Yukon Legislature pass this amendment to the *Judicature Act*.

Thank you, Mr. Speaker. Günilschish.

Mr. Inverarity: I'd like to first thank the minister for her overview of this act. I think that the act stands on its own. Her comments are clear and concise.

We think it's nice to know that we're all working toward more responsible government. I also feel that particularly the French associations in town will be most pleased with the outcome of this particular act amendment. I think the Official Opposition will probably be supporting this bill in its entirety. I would again like to thank the minister for her overview. It was very good and very interesting.

Thank you.

Mr. Cardiff: It's good to be here today to speak to Bill No. 60, *Act to Amend the Judicature Act*. I, too, would like to thank the minister for the overview of this piece of legislation. I think it's probably long overdue. It is important here in the Yukon that we do take more control, more responsibility for the laws that govern us. That's what responsible government is about. By this act, the courts will be making their own rules for the operation of the Supreme Court here in Yukon. I think that is good. It makes it more relevant to the Yukon. It makes us more responsible for how our courts operate, and it hopefully improves the efficiency and effectiveness and the responsiveness of the justice system to the needs of Yukoners. So we will be supporting this piece of legislation and I don't believe that we will have any questions when we get to Committee of the Whole.

Thank you.

Speaker: If the minister speaks, she will close debate. Does any other member wish to be heard?

Hon. Ms. Horne: I thank the members opposite for their comments to this much-needed amendment to the *Judicature Act*. Thank you.

Motion for second reading of Bill No. 60 agreed to

Bill No. 54: Second Reading

Clerk: Second reading, Bill No. 54, standing in the name of the Hon. Mr. Fentie.

Hon. Ms. Taylor: Mr. Speaker, I move that Bill No. 54, entitled *Electoral District Boundaries Act*, be now read a second time.

Speaker: It has been moved by the Deputy Premier that Bill No. 54, entitled *Electoral District Boundaries Act*, be now read a second time.

Hon. Ms. Taylor: I'm sure all members are fairly familiar that this act implements the recommendations of the Electoral District Boundaries Commission. The commission was established under the *Elections Act*, and included an appointed member from each political party. I would certainly like to take this opportunity to recognize these five individuals for all of their hard work and effort. The members of the com-

mission were as follows: Justice Leigh Gower, chair of the commission; Ione Christensen; Dave Hobbis; Dan Lang; and Jo-Ann Waugh, Yukon's Chief Electoral Officer.

Members of this House will recall that the commission's final report was tabled in March of this year. The final report reflects a great deal of consultation with the public. The commission carefully balances public input with a number of factors including population density, transportation and access, and the boundaries of First Nation and municipal governments.

The act before the House today is true to the recommendations in the final report. The government has accepted them without modification.

Without going into too many of the details of all the districts, I will note that this act will establish one additional district, bringing the total number of members in this House to 19. In all, a total of nine districts will be created or modified in order to accommodate the growth in the Whitehorse Copper and Copper Ridge area and also to plan for future growth in Porter Creek. I, as one Member of the Legislative Assembly — the Member for Whitehorse West — as well as the Member for Copperbelt can certainly attest to the significant growth in the respective Copper Ridge area. As a result, our respective ridings are being proposed for alteration to reflect a readjustment in the population growth.

I know for one thing that the boundaries for Whitehorse West, which I represent, will be altered to reflect a reduction in some of my population or constituency, but it will also incorporate the proposed new expanded Arkell subdivision, to incorporate that growth as well.

Ten districts will remain unchanged. Changes to the electoral districts are also set to come into effect on dissolution of the current Legislative Assembly. Until that time, members of this House will continue to represent their current districts without any change. Consequential amendments to the *Legislative Assembly Act* will come into effect on the day of the next election.

I thank you very much, Mr. Speaker, for the opportunity to say a few words. We certainly would commend this bill going forward.

Mr. Mitchell: I too am pleased to speak at second reading to Bill No. 54, *Electoral District Boundaries Act*. I also would like to add my voice to that of the Member for Whitehorse West in thanking the commission and all of its members for their work — Justice Gower, former Senator Christensen, Mr. Dave Hobbis, Mr. Dan Lang and our Chief Electoral Officer, Jo-Ann Waugh. I know they worked very hard. They travelled around the Yukon. They held hearings in different communities, in rural Yukon as well as in the capital city, and they tried very hard in their deliberations to assimilate and accommodate what they heard.

There were many difficult decisions to make, trying to incorporate all the principles of fair and equitable representation, balancing urban and rural ridings and ensuring adequate First Nation representation based on existing principles from previous boundary review commissions.

I know they were not able to necessarily accommodate every wish they heard. Particularly, I know in some areas of Pelly-Nisutlin, they heard different things — and from Mayo-Tatchun — in terms of suggested realignment that members of the public brought forward, but they did their best.

In the case of my riding of Copperbelt, the recommended new boundaries will dramatically change the landscape, as the riding is in effect being divided into four different ridings — two of which are completely new: Mountainview being a new name and Takhini-Kopper King being a new name. There will also be a riding of Copperbelt North and Copperbelt South. Those people I'm proud to represent now will fall on one side or the other of those boundary lines and, come the next general election, I will be applying for the job of representing some of them but not all of them.

It was obvious something had to be done in the case of Copperbelt, as the riding was virtually twice the size by population of some other ridings. I've had both positive and negative feedback from constituents and members of the general public. One issue of concern that has been expressed, and I just want to read it into the record — and it's possible the Member for McIntyre-Takhini will also speak to this, as well — is that the new boundaries may diminish the sense of representation by the capital city's largest First Nation, Kwanlin Dun, by including them in a new riding along with Granger, Hillcrest and Valleyview subdivisions.

I've heard that expressed; there's nothing I can do here to address that, but I wanted to read it into the record because it's one concern that was expressed to me.

Nevertheless, I do know the commission considered all these issues in making the recommendations. I would say that if any member of the public has additional issues or concerns, I would urge them to contact their MLA as soon as possible before we debate this in Committee of the Whole and bring the bill to third reading, in case they bring forward some idea that may be practicable.

Other than that, I again want to thank all the members of the public who came out to the meetings, which are donations of their time as citizens on evenings and weekends. We ask a lot of them in this Assembly, with all the public consultations we do.

So I thank every member who took the time to respond in person or in writing and I want to again thank the commission members and the Chief Electoral Officer for their hard work.

Mr. Cardiff: I will be brief in speaking to Bill No. 54, *Electoral District Boundaries Act*. I would like to extend, on behalf of the third party caucus, our sincere gratitude and thanks for the work done by Justice Gower and the Chief Electoral Officer and the members of the commission: Ione Christensen, Dan Lang and Dave Hobbis.

It is a lot of work and there are a lot of variables when you are looking at numbers and trying to find a balance so that there is a balance in representation here in the Legislature. We appreciate the hard work that they did. We recognize that there will be some ridings that will change and some ridings that will remain the same and that is part of the process. That is some-

thing that as Members of the Legislative Assembly we have to live with. I believe that they have gone out, they've done their work and they have listened to what the public has said.

I would like to also thank those members of the public who came out and met with the Electoral Boundaries Commission and gave their points of view and input into this process. We will be supporting this piece of legislation. Again, thanks to the commission and the public. We recognize as well, I suppose, that until the next election, the boundaries will remain the same and MLAs will continue to represent those ridings. At the dissolution of this Legislature the ridings will change and there will be new boundaries.

Thank you for the opportunity to speak to this and I don't have anything further to say. We will be supporting it.

Motion for second reading of Bill No. 54 agreed to

Bill No. 55: Second Reading

Clerk: Second reading, Bill No. 55, standing in the name of the Hon. Mr. Hart.

Hon. Mr. Hart: I move that Bill No. 55, entitled the *Act to Amend the Social Assistance Act*, now be read a second time.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 55, entitled the *Act to Amend the Social Assistance Act*, now be read a second time.

Hon. Mr. Hart: Thank you, Mr. Speaker. I shouldn't be too long.

I'm pleased to be here to speak on these amendments. I would like to thank all those who worked on these amendments that are before us today. This bill represents the final piece of work required to bring to completion the work we started on the social assistance reform earlier this year. Last spring, we made significant changes to the social assistance regulations. They included an increase to social assistance rates, enhanced services and reduced red tape for persons with severe disabilities, and a provision for increased incentives for social assistance recipients to enter the workforce.

The *Social Assistance Act* has not been opened since its enactment in 1972. At that time, the Yukon received funding through the Canada Assistance Plan and the cost-sharing agreement from that plan outlined eligibility criteria required by all jurisdictions for persons in need of income support. The Canada Assistance Plan is now replaced by the Canada social transfer. With the transfer, Yukon is now able to determine its own eligibility criteria in the amendments identifying these criteria.

Mr. Speaker, the amendments to the *Social Assistance Act* also include a modernization of language of the act, which is antiquated and did not provide clear direction to, among others, the role of the appeal bodies. The amendments also streamline and clarify the role of the appeal bodies and specify an order to provide better training and support. The new act will reduce the number of appeal bodies from two to one, and will ensure that the administrative support is in place for this body. This change will ensure that a person who feels they have been treated unfairly by the department has the ability to appeal decisions related to eligibility and assistance to the appropriate appeal

body. If the person is not satisfied with the decision from the appeal body, recourse still exists through the courts.

The amendments provide clear guidance to the appeal body on its role and responsibilities. This is a great improvement to the legislation, as it reflects the Yukon government's current standards with respect to the functioning of boards and committees, and ensures that the appeal body has the support and direction required to fulfill its role. We have also enhanced the review process by including in the act a provision for allowing a dissenting opinion by members of the appeal body to be documented and presented to the director along with the majority decision.

The purpose of the *Social Assistance Act* amendments has not been changed through the years. The purpose is to provide the financial support for those Yukoners who are unable, for many different reasons, to provide for themselves and their families. Yukoners who find themselves in need of income support are assured that their applications for assistance will receive full and impartial consideration. The amendments clarify the distinction between the core social assistance payments which are subject to review or appeal, and welfare services or discretionary aid which will not be subject to review or appeal.

Yukoners want to know that the less fortunate members of society are provided for, also knowing that there are checks and balances within this provision. The *Social Assistance Act* reinforces that social assistance must be in most cases applied for on a monthly basis. Those with severe disabilities will not be faced with this requirement. Social assistance is a program of last resort and builds on individuals' needs to provide for themselves and their families. Programs are in place to assist those who find themselves on social assistance with support for training and education to become self-reliant where possible.

The department has an obligation under the reciprocal agreement on social assistance to consult with most self-governing First Nations and INAC on changes to the *Social Assistance Act* and regulations. These governments provide social assistance to their citizens under the Yukon *Social Assistance Act*. I would like to take this opportunity to thank all members of the First Nations and INAC who provided comments on the development of this legislation. I look forward to going through these amendments in detail during Committee of the Whole, and I encourage members to support the important legislative package.

Mr. Mitchell: On behalf of the Official Opposition, I rise to speak at second reading of Bill No. 55, *Act to Amend the Social Assistance Act*. I must say I feel at some disadvantage in doing so because we were not provided — any of the members of the opposition — with any form of technical briefing on this act. I think that's very unfortunate because, as legislators, if we're going to do our due diligence and hold government accountable and do our part to ensure the best possible legislation passes this House, I think it's in the best interests of the public that opposition members are provided with technical briefings on each and every piece of legislation so we can be sure that our perception of the bill is in fact an accurate reflection of the intent of the bill and so we can respond when members of the

public, stakeholder groups and others come forward to us with their concerns about legislation such as this.

I can agree with the minister on the intent of social assistance. It is to provide support as necessary to those members of the public who, for whatever reason, have found themselves struggling to maintain themselves without public assistance. That's what it's for and we can all agree that no one wants to see abuse of the system. We all want to make sure that those people who are most needy are the people who receive it. I understand that — as the minister says — this hasn't been revised since 1972. We can certainly support the concept of modernization of language and of reforming the system in general.

There are some things within this bill that do concern us. I do hope that this is one of the acts that we will have an opportunity to spend some time debating in Committee of the Whole, where we can get more detailed answers with the benefit of the officials providing advice directly to the minister and the minister therefore being able to explain the answers directly to us.

There are areas that do concern the Official Opposition. One, the minister has indicated that this represents a streamlining of the roles of the appeal bodies and he has indicated that this has reduced the previous two levels of appeal body to one level, and that is of some concern — not just to us, but because we've heard that concern from others, in particular from member groups of the Yukon Anti-Poverty Coalition.

The reason they're concerned is that, whereas previously there was an appeal committee and then an appeal board, there is now only a review committee, which then reports back to the director, who may well be — and obviously is — the person ultimately responsible for the initial decision. The concern is it has been indicated that now the next level of appeal available is to the Supreme Court, and that a decision of the social assistance review committee may be appealed to the Supreme Court, as is outlined in this bill.

The concern we've seen expressed by the Yukon Anti-Poverty Coalition — and it is a concern we share — is that this may not be practicable or realistic in many, if not a majority, of the cases. For one thing, people who are on social assistance are, by definition, people of limited means, people who are already struggling to support their families to an adequate standard in terms of putting food on the table, of housing, of clothing and of other necessary areas to maintain a decent family life.

So the concern would be, in having to go before the Supreme Court, this would be something that would be intimidating to the average person and one would require legal advice, legal counsel. One recommendation the Yukon Anti-Poverty Coalition has made is that perhaps there should be a reference to coverage under the legal aid act to cover costs of obtaining legal advice for this purpose, because I don't believe this is currently an area that is covered by our legal aid act. That is a recommendation I understand the Yukon Anti-Poverty Coalition is making and is one that we would second. If that is the level of appeal remaining to an individual, it's not one they may be able to avail themselves of if they don't have the means with which to hire legal counsel.

The Yukon Anti-Poverty Coalition has also recommended the review committee maintain the capability of reviewing cases before them with discretion, and we would simply presume that would be the case, regardless of how the committee is constructed. We are a little concerned that the new proposed structure may not be seen to be as much at arm's length as the previous second level of appeal was. I look forward to hearing the minister's comments on that issue.

As well, we previously expressed concern regarding the requirement for reapplying monthly for social assistance, except in the case of people with identified disabilities. The minister in Question Period has assured us that this is currently the case. We understand that; however, the wording is different. So we would like to hear more details from the minister in Committee to ensure that this is not in any way a change, that it is different wording to legally accomplish the same task. We do understand the purpose of having people supply a monthly form that indicates that they have in fact looked for employment but been unable to find it, if they are people who are in the position to find employment at all.

So these are some of the concerns that we do have. We are hoping that the minister and the officials, since we did not have a briefing, will be able to answer questions on a more detailed basis within Committee debate as to the role of the committee. Again, we had some concerns that had been expressed to us by stakeholders about the change to a departmental secretary as opposed to the contract person who is currently hired — the departmental person being an ex-officio member of the review committee who is also in the position of setting the agenda and helping to screen which appeals get to that committee, if that person is a departmental employee, will this truly be seen as an arm's-length committee.

Having said this, we will support this bill at second reading in order to get into Committee so we can hear answers to these questions and, if there are any changes that can be made, then that's where they will be made.

We also just want to state for the record that the Yukon Anti-Poverty Coalition was concerned that they and their member groups did not seem to be included among those who were consulted in the drafting of this new legislation. They had to make their case to the minister and officials at the eleventh hour before we got to second reading in order to even have their input. We would think that, when dealing with social assistance, the non-governmental organizations that are the front-line workers who deal, on a daily basis, with social assistance recipients and others who suffer poverty, homelessness and other such serious social misfortunes, would be among the people who were consulted.

With that, I will reserve any other judgement until we get into Committee of the Whole. I thank all the officials for the work they did in drafting the legislation and look forward to hearing those explanations.

Thank you.

Mr. Edzerza: I'd like to start by saying briefly that I'd like to thank all the officials who did the work on the amendments to the *Social Assistance Act*, Bill No. 55.

I'd also like to put on record that the NDP caucus did not receive a briefing on this bill either. There was a bit of a concern there, and it would have been good to have that briefing. However, I'd like to put on record that, most of the time, citizens on social assistance are people who may have many issues going on in their lives. Any little or big change may cause or add to the turmoil in their lives.

It is critical to understand your clientele. The question we have to ask: will these changes be devastating or a blessing? Increased responsibilities and hoop-jumping will not be inviting. I know from personal experience and doing a lot of advocacy work that there has always been a very difficult challenge for people who are trying to organize and find structure in their lives. Change is very difficult to deal with — even the littlest change.

So having said that, I know we see several issues with some of these changes. I'll just name a few, and I think then I'll leave the rest for the questioning in Committee.

But this bill eliminates the two social assistance appeal committees — that's sections 9 to 12 — replacing them with one review committee. It makes it clearly necessary to have applicants for SA applying monthly. Now that could be a really drastic change. It also substitutes the word "Yukon" for "the Yukon."

Some of the problems that the third party sees is that eliminating the word "appeal" from the act and reducing it to "review" for the committee means that it does not have the power to make decisions apart from simply agreeing or disagreeing with the decisions of the director.

Eliminating the SA appeal board of five and the former appeal committee of three, both for a committee of three —

Power outage

Speaker: I will now call the House to order.

Member for McIntyre-Takhini, you have the floor. You have 16 minutes and 30 seconds left, please.

Mr. Edzerza: Thank you, Mr. Speaker. I believe I was talking about the elimination of the Social Assistance Appeal Board of five and the former appeal committee of three — both for a committee of three people. We feel this really further weakens the committee. And the Cabinet, through regulations, prescribes how review requests are dealt with which makes it open to Cabinet manipulation.

These are just several problem areas we have identified with the changes. The review must only refer to regulations, not other evidence, and the chair and vice-chair are both appointed by the minister. The chair directs the work of the committee; two members are a quorum and can make a decision by majority, opening it up to manipulation by the minister or the director. The chair may also refuse to hear a review request. A review must be requested within 30 days of the decision of the director, and the amendments limit the review to only those applications that are for a month's assistance and only with respect to eligibility or the amount of assistance, replacing the

ability in the act to appeal any decision of a social worker or the director.

An executive secretary, in addition to three members, is a member of the public service and recommends the procedure for the conduct of hearings and its other meetings and business. The secretary is a non-voting member of the committee, but sets the agenda and calls meetings and assists the chair, opening up the possibility of manipulation by the department.

Appeals can be made to the Supreme Court on a question of law or a fact within 30 days. Mr. Speaker, I do agree with the Leader of the Official Opposition that most people who are on social assistance would feel very intimidated by the courts and having to deal with the courts. Those are just some of the concerns that we have with the changes to this act. I look forward to being able to ask a number of questions when we get into Committee.

Thank you.

Speaker: If the minister speaks, he'll close debate. Does any other member wish to be heard?

Hon. Mr. Hart: Mr. Speaker, I thank the members opposite for their comments. Issues were brought up, and these are issues that I'll be more than happy to go into during Committee of the Whole.

I will say, though, that the majority of the amendments are made to modernize the legislation and to make it current. We hope to get things moving along. I will delve into the two committee/one committee issue during Committee of the Whole, and the reasons thereof, as well as provide some additional information that the members opposite have brought forth during this session, as they are in regard to the monthly aspect and speeding up the process.

In speaking with the staff involved in putting together the amendments, it was very obvious that this act needed to be changed. Many of the issues, as stated earlier, are going to be administrative in form and are basically changing verbiage to bring it into relations with the office of the minister versus the Commissioner, et cetera.

But the whole aspect, as I mentioned in my preamble, is to ensure that welfare assistance is provided to those who meet the eligibility requirements and are in need of the assistance for themselves and/or their families, and the changes are not in any form meant to detract from that immediate mandate or goal.

As I said, Mr. Speaker, I look forward to Committee of the Whole discussion on this matter, and we'll take the information provided by the members opposite during their comments and be prepared for the questions when they come.

Motion for second reading of Bill No. 55 agreed to

Bill No. 56: Second Reading

Clerk: Second reading, Bill No. 56, standing in the name of the Hon. Mr. Cathers.

Hon. Mr. Cathers: Mr. Speaker, I move that Bill No. 56, entitled *Act to Amend the Territorial Lands (Yukon) Act*, be now read a second time.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 56, entitled *Act to Amend the Territorial Lands (Yukon) Act*, be now read a second time.

Hon. Mr. Cathers: Mr. Speaker, I will be fairly brief in the introduction. This amendment is a fairly simple piece of legislation and I'm pleased to introduce the bill.

The bill to amend the act proposes a specific legislative change to section 18 of the *Territorial Lands (Yukon) Act*. Section 18 speaks to how the government addresses unauthorized occupancy or trespass on Crown land.

The proposed change will improve the current legislation by enabling more effective and appropriate enforcement of unauthorized activities.

It is important that the government ensures land is managed properly and with clarity so that activities that take place on Crown land that are not authorized by government are subject to effective and appropriate action by lands officials. This bill improves how we deal with unauthorized occupancy.

Section 18 of the act currently specifies that the minister must personally provide an opinion on whether a trespass on Crown land has occurred prior to any action being filed by department staff.

On January 18, 2008, the Yukon Supreme Court reiterated this requirement. The ruling identified that the decision made in the opinion of the minister could not be delegated unless the act was amended. The decisions being made at an official level had been a practice but pursuant to the court ruling this amendment is necessary to continue the appropriate practice in this area.

The amendment proposes to remove the phrase "in the opinion of the minister" from section 18 of the act and give the ability to delegate the authority to the department to establish whether a trespass on Crown land has occurred. This delegation is consistent with other delegated authorities in the *Territorial Lands Act* and will allow lands officials to efficiently file action against those who trespass.

This amendment also allows the department to fulfill its enforcement responsibilities at an operational level rather than at the political or ministerial level. The Yukon government is committed to clarity and effectiveness in managing Crown lands in the territory to ensure that all Yukon Crown land is allocated and protected as appropriate in a fair, transparent process.

Trespass is not a frequent problem in the territory but the proposed changes to the *Lands Act* provide more certainty as to how the government addresses the issue when it occurs.

I am pleased to present the amendments to *Territorial Lands (Yukon) Act*, for the consideration of the Assembly and encourage all members to support this legislation for the reasons that I have outlined.

Mr. McRobb: We in the Official Opposition have no problem with this bill. It is pretty well just a piece of house-keeping legislation and we will be supporting it.

Mr. Edzerza: Likewise, the third party really doesn't have any issues with the amendments and recognize them as some housekeeping issues. We will also be supporting this.

Thank you.

Motion for second reading of Bill No. 56 agreed to

Bill No. 59: Third Reading

Clerk: Third reading, Bill No. 59, standing in the name of the Hon. Mr. Cathers.

Hon. Mr. Cathers: I move that Bill No. 59, entitled *Forest Resources Act*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 59, entitled *Forest Resources Act*, be now read a third time and do pass.

Hon. Mr. Cathers: I will be fairly brief in my comments in introducing third reading. There has been substantial debate on this piece of legislation; therefore, I have already outlined the strengths of this act many times. As I've pointed out, this is a significant modernization of Yukon's regulatory process. It is replacing outdated regulations under the *Territorial Lands (Yukon) Act* and a very short section of actual legislation, that being the *Territorial Lands (Yukon) Act*, that even referred to forestry.

It provides a much better framework and provides significantly more opportunities for First Nations to be involved in planning processes, clarity around the planning processes with regard to the involvement not only of First Nations, but of other Yukon citizens and an enhanced framework that makes the management of all our forest resources work in a much more modern and appropriate manner.

The preamble of the legislation, of course, sets out several important principles, including involving the public in these planning processes. With that, Mr. Speaker, I commend the legislation to the House.

Mr. McRobb: Thank you, Mr. Speaker. Well, unfortunately, I won't be as brief because I plan to outline a number of concerns we have with the bill, and also recapitulate some of the debate. As the minister has said, this bill has gone through considerable debate since it was introduced on October 27. However, given the importance of this bill, it deserved to be debated at a much higher level than what occurred over several afternoons. One of those afternoons, November 25, there was only time for one hour of debate.

A higher level of debate could have been achieved, had the Yukon Party government actually practised its pledge to be open, transparent and accountable by providing relevant information to all members involved in the debate. Nevertheless, Mr. Speaker, this bill represents a significant improvement over the existing federal laws.

That said, there was potential to make it the best forest legislation in the country. It's sad to say that opportunity has been lost, for the time being at least. It will be up to a future government to do this.

On improvements, it does provide greater certainty with some respects, especially in First Nation traditional territories where the *Umbrella Final Agreement* applies. It improves the

situation for some with respect to woodlot harvesting and the model forest and so on.

But I'm not here to promote only the good contained in the bill, as the minister might do. It's incumbent upon us in opposition to point out weaknesses in the bill and that's mainly where I intend to spend my time this afternoon.

On the bad side, this bill fails to provide sufficient clarity with respect to avoiding court challenges. I'm referring especially to traditional territories where there are unsettled First Nations, such as in southeast Yukon with the Liard First Nation and northwest Yukon with the White River First Nation.

It fails to ensure involvement of the renewable resources councils in the forest management planning process. Mr. Speaker, I would remind everybody the involvement of the RRCs is embedded in the *Umbrella Final Agreement* in chapter 17. Bill No. 59 fails to deal with overarching matters that have been subordinated into the regulations. I would add, Mr. Speaker, the regulations won't see the light of day for debate in this Assembly. A lot of the important items that have been subordinated into the regulations are of public importance and should have been on the floor for debate in this Assembly.

Speaking of the regulations, the government failed to provide a firm commitment that stakeholders will be meaningfully consulted, including the opportunity to input on draft regulations and comment on the final draft of the regulations. In addition, there is no framework for the annual allowable cut and it gives the minister, in some situations, absolute authority to cancel or amend plans. It is also unclear in this section with respect to forestry roads, reclamation of those roads and future use of those roads for other purposes, especially by other industries.

Then there is the Yukon Party government's whole approach in debating this bill that was quite unproductive. I know, Mr. Speaker, we have tried to raise the bar of debate in the Assembly since most of this debate occurred, but since this is third reading on the bill, I feel I must at least allude, in general, to some of what took place.

We started off on the wrong foot when the minister wouldn't refrain from throwing political jabs at the opposition in his second reading speech — at the very outset, Mr. Speaker, before any members of the opposition could speak. We feel this was neither justified nor productive and it unnecessarily set an adversarial tone and led to an overly politicized debate. The minister and Premier also took the position that their bill was perfect. They refused to accept any of the proposed amendments.

We believe these amendments would have improved the bill, provided greater certainty and reduced the possibility of regrettable court action in the future.

It was especially disappointing to witness the government members predetermine their rejection of these improvements, even before seeing them or considering their purpose. The government side denounced the amendments as "a waste of time", and "needless". This was insulting to those who helped draft the amendments and those who presented them in good faith on behalf of Yukoners. This is not demonstrating good govern-

ance, nor is it working in collaboration with the other elected representatives of this Assembly.

I also have a few concerns about the minister's approach. First, he said he was acting on behalf of what's best for the Yukon, not minorities, yet denounced one of the amendments based entirely on a concern stated by one stakeholder. I'm left wondering where the consistency is in those remarks. The minister argued the land claims agreements are not included in legislation within the Yukon or elsewhere in Canada. Well, I did some homework, came back and I told the minister the Yukon *Wildlife Act* references a land claims agreement, but he remained unpersuaded.

The Province of British Columbia is currently amending its *Forest Act* to include common-law requirements regarding aboriginal rights and title. The Yukon had an opportunity to do the same. This would have alleviated a lot of uncertainty and a large grey area that could very well lead to legal battles and a war in the woods.

The minister refused to provide members involved in the debate with material that was requested. Here are a few examples, Mr. Speaker. First, related letters and submissions from stakeholders involved in the process — the minister wouldn't give them to us. Secondly, submissions made by government departments — Mr. Speaker, these are paid for by the taxpayer. They should have been provided. And finally, a legal opinion the minister referenced on the Kaska's position paper — again, the minister was asked for the information and he refused.

More taxpayers' money that only benefits the Yukon Party members, Mr. Speaker, and how is that fair to all members in this Assembly? It's paid for by the taxpayers; it should be provided to all representatives of the taxpayers in this Assembly. How can we have a fair debate when the minister withholds information of such import? This is like playing poker with someone who short-deals the cards and has more up his sleeve. The minister should have laid them all on the table, and I would suggest it was his public duty to do so.

Point of order

Speaker: On a point of order.

Hon. Mr. Rouble: Mr. Speaker, pursuant to Standing Order 19, I'm finding this ongoing reference to "cheating at cards" well beneath the dignity in this Assembly. To intimate that a member opposite would cheat someone certainly is not treating them as an honourable member.

Speaker's ruling

Speaker: The Chair actually took that as more of an allegory than an allegation. There is no point of order. The Member for Kluane has the floor.

Mr. McRobb: The minister referenced other clauses to quell concerns stated by opposition members. And upon further research, we determined the other clauses cited by the minister simply do not address the concern. I'll go into a bit of detail on this.

On the first matter, the minister said the *Umbrella Final Agreement* sets out RRC responsibilities, and *Hansard* quotes him as saying: "Renewable resources councils will be con-

sulted under the act. If we get further on in discussion, members will see clauses that specifically refer to working with renewable resources councils in the development of plans.”

Now, Mr. Speaker, the only clauses in the act that refer to the role of RRCs are 8(4)(c) and 9(5)(b)? We already know how several RRCs feel about this defined role.

During the period of public consultation on the act, two-thirds of the RRCs told the Yukon government they wanted to be involved in the actual forest management planning, among other provisions laid out in section 17.4.1 of the *Umbrella Final Agreement*. The RRCs clearly did not want to be limited to the roles laid out for them in these two sections in this act. The RRCs asked for a larger role in doing the actual planning. Well, the minister commented on Thursday, November 27, by saying that feedback from the RRCs was either incorporated into the act or would be explained to them. This is not what we have heard from several RRCs.

Section 4 of the act will not address these issues. The RRCs are saying that the UFA hasn't been followed during the consultation on the act. So I pose the ultimate question, Mr. Speaker: if the Yukon Party government didn't follow the UFA during the development of the act, why would it be any more inclined to follow it simply because it is referenced in section 4 in this forestry act? For a greater certainty, the roles that are established for RRCs in chapter 17 of the act need to be outlined in Bill No. 59. Mr. Speaker, this was the content of one of the several amendments we brought forward while attempting to improve this act and Yukon Party members — all of them — voted it down, as they did every last one of the amendments from the Official Opposition and the third party.

To recap the concerns of the RRCs: they weren't consulted as required by the UFA; their input into draft act was ignored by the Yukon Party government; their need to be involved in forest resources management planning has also been ignored by this government; and, finally, their need for adequate funding from the Yukon government has also been spurned. Mr. Speaker, yes, we realize the federal government has a role in funding these councils.

However, since the time the *Umbrella Final Agreement* was written, these resources have been devolved to the Yukon government's authority, and the primary mandate of these councils is to manage fish and wildlife in their respective local areas. The Yukon government has a role to assist in ensuring the budget of these important councils is adequate so they can meet the terms of their mandate and not have to close early within their budget year, as has been experienced in the past.

Another issue the minister referenced by sending us on a wild goose chase to other parts of the act in order to quell our concerns — he referred us repeatedly to section 4 of the act. He said section 4 is one of the clauses often referred to for greater certainty because it's not necessary to include it in the bill. It states the final agreements prevail. He concluded by saying again “this is needless representation by the Liberal Party and they know it.”

Well, Mr. Speaker, section 4 of the act is that final agreements prevail. This is only relevant, however, for settled First Nations. As has been stated on the record several times, 70

percent of the territory's marketable timber is currently located within the traditional territory of an unsettled First Nation. So, even if zero percent exists in White River's area, that really means that only 30 percent of this act is relevant to these matters.

The minister then said, “Oh, but we have section 12 that catches all unsettled First Nations.” Mr. Speaker, after further research, we discovered that section 12 fails to do that. It only refers to the discretion of the minister to enter into an agreement with a First Nation that addresses the planning process, not development of forest management plans. So an unsettled First Nation may have a forest management plan approved for its traditional territory without even providing input. So neither section 4 nor section 12 catches everything.

On another matter, the minister constantly referred to YESAA as a substitute for public consultation on forestry plans. Well, Mr. Speaker, we did some checking into this matter as well, and again we found the minister is wrong. Let's first clarify that public notice is not public consultation. Putting out a notice does not constitute consultation. YESAA cannot assess issues related to forest management plans. Their on-line registry is limited to assessing site level plans. This is at the harvest block level, Mr. Speaker. Therefore, the YESA act is no safeguard; it's no catch-all for this, as portrayed by the minister.

Now, this was confirmed recently: YESAA is not an act to manage public consultation and the board does not review plans. It only reviews projects. Presumably this would largely constitute proposed cutblocks. The only way that a plan can be assessed is if the originator of the plan goes to the executive council of the YESA Board and requests that a plan be assessed through a panel review, and that proponent must pay for it. How likely is this to happen? Well, Mr. Speaker, we're not going to hold our breath. So the point is the minister frequently referred us to other sections; we did the homework; it turned out they were wild goose chases.

On another aspect of the minister's approach, we were constantly accused of attacking officials whenever we asked questions and stated concerns.

I want to remind everybody and put it on record that the political level of government now held by the Yukon Party must take all responsibility. The minister and perhaps the Premier have had ongoing input into the process. Other ministers provide input through the Cabinet Committee on Legislation or CCL. The consultation process must also be approved by Cabinet — not the officials but Cabinet. Mr. Speaker, we know Cabinet consists of the eight ministers within the Yukon Party government.

The Yukon Party is 100-percent responsible for the legislation and the consultation process. It should not bring the hard-working public service employees into this. The government members know they are responsible and should act responsibly.

It is difficult to believe that a government of our territory would demonstrate this type of behaviour, but it is true. It is all in *Hansard*. It is all on the record. It is there for everyone to see. Mr. Speaker, if there is anyone out there who would like all of the related transcripts in a neat package, send me an e-mail.

Now, one might assume we in the Official Opposition have good reason to vote against this bill considering all the aforementioned grievances. Well, Mr. Speaker, there is just cause all right to do just that. However, it is our duty to the public to act in their best interests and not be deterred or dissuaded from that ultimate objective. We must remain magnanimous. As stated, we do believe this legislation represents a significant improvement over existing laws and will be supporting it at third reading.

In closing, I think it is fair to say that a future Liberal government would bring forward an amended forestry bill with the intent of finally fulfilling its potential to becoming the most progressive forestry act in the country.

Mr. Edzerza: I would like to start out by stating for the record that I found the debate on this bill very frustrating — a sense of not being heard. It was very difficult — very difficult — to leave the Legislature every day finding that you have absolutely no voice when it comes to being able to have amendments made to this piece of legislation.

I know there were a lot of citizens at large who were concerned with a lot of the things in this bill. There were probably 16 or 17 amendments suggested. Every one was defeated.

I'm just going to go through a few concerns that we sort of highlighted throughout our debate on this budget. It started right from the preamble where we say that the regulations have the potential to give the public security that the *Forest Resources Act* will protect Yukon's forest for current and future generations and will create a supportive climate for our local industry — or the regulations may allow the same short-sighted management that has destroyed forest ecosystems and communities down south.

It will only be clear whether the proposed *Forest Resources Act* is a good one and is worthy of support after we have seen the act and the regulations together. There was a real concern around this — not having the two of them developed together.

We feel the Yukon government has chosen to introduce an enabling forest act. This means that the important details about how much wood will be logged, how it will be logged, and how wildlife, water, and non-timber users of the forest will be protected will be in the regulations. There are no other acts in the Yukon that will manage the impacts of logging on other forest-based industries or forest values.

So we asked how you will ensure that all forest values, including timber, will be protected for future generations of the Yukon. These are major concerns that were brought to the third party.

We can go into another section about annual allowable cut, clause 16, page 18. There are many areas in the Yukon that do not have an approved forest management plan, most noticeably in the southeast Yukon, where about 80 percent of the commercial forests grow. In these areas, the act allows the director of the forest management branch to set an annual harvest level, as prescribed by regulations. This could lead to unsustainable amounts of logging and caribou habitat around Whitehorse. It could lead to unsustainable amounts of logging in many differ-

ent important areas in the Yukon. It could mean hundreds of thousands of cubic metres logged in the southeast Yukon, for example, with bigger clear-cuts than we have ever seen in this territory.

I know the minister took issue when I mentioned envisioning what it would be like to have no timber in the Yukon.

Mr. Speaker, I want to put on record again that I drove the Stewart-Cassiar Highway when it was beautiful. It was very, very beautiful country. I was almost in shock when, several years later, I drove down the same road that looked like a desert — clear-cut, right clean across the road.

That is what I was referring to when I said I have a concern — when that possibility of clear-cutting exists. I could just envision driving down through the Watson Lake area and in toward the Stewart-Cassiar Highway, Highway 37. There is an awful lot of beautiful timber in there and I don't think anyone would ever be able to convince me that there isn't a possibility to see that all logged out. I believe there should be a law in this act that would prevent clear-cut logging right up to and within the major highway routes in the Yukon Territory.

I could probably go on for a long, extended period of time all over again, but I really don't see any value in that today. I believe that this was covered extensively in Committee of the Whole, only to find that after several days of debate we weren't successful at getting one amendment to any part of this bill.

Having said that, I know that there are some real issues with regard to the land claims agreements but even more so, I believe there is a bigger issue with the First Nations that do not have a land claims agreement. I would predict today that somewhere down the line this is going to be a major issue. I guess time will tell if the opposition parties were right in making a statement that this could lead to potential court cases in the future. I guess it remains to be seen. It is unfortunate that's all that First Nations like the Liard First Nation have to look forward to in the future — another potential court case.

However, I think that if that's going to be the route that has to be taken, I'm quite sure that the First Nations are very capable of doing that. There was an opportunity here to divert and minimize the risks of potential court challenges again in the future, but it doesn't seem to be an issue with this government about First Nations and the Yukon territorial government being in court. It's getting to be quite a common occurrence.

So that's about all I'm going to say with regard to this act. We'll wait until we have the vote.

Thank you.

Speaker: If the member speaks, he'll close debate. Does any other member wish to be heard?

Hon. Mr. Cathers: Thank you, Mr. Speaker. I will be brief in my closing speech. It is not worth responding to the comments made by, particularly, the Liberal Party in closing debate. Those matters have already been addressed, in most cases several times by me in debate on this legislation, particularly in the Committee of the Whole stage. I would point out that the approach taken by the opposition in this legislation is unfortunate. The Liberal Party especially, but to an extent the

NDP as well, have ignored the perspective of the majority of those who took part in this process and have spent a significant amount of time cherry-picking those comments and the amendments they made, and ignored the views of those who had differing perspectives including, in the case of the Liberal Party, an amendment brought forward by the Member for Kluane that went directly against a request made by the Champagne and Aishihik First Nations in a letter sent by the chief.

Some Hon. Member: (Inaudible)

Point of order

Speaker: On a point of order.

Mr. McRobb: On a point of order, Mr. Speaker, the member's referring to a document we do not have. That document was requested earlier, and it's mentioned in the House rules that if a minister refers to a document, he must provide it. So I'm requesting a favourable ruling so we can be provided with that document.

Speaker: Mr. Cathers, on the point of order.

Hon. Mr. Cathers: On the point of order, Mr. Speaker, I believe there is no point of order, and also the Member for Kluane appeared to be having an interesting recollection of what's in the Standing Orders by reflecting things being in there that are not there.

Speaker's ruling

Speaker: Thank you, members, both for the points of order and the clarifications you have both been able to provide the Chair. From the Chair's perspective, there is no point of order. The minister made reference to a document he didn't quote extensively and our Standing Orders indicate that if a member quotes extensively, then the issue comes into play as mentioned by the Member for Kluane. Therefore, there is no point of order. Minister, you have the floor.

Hon. Mr. Cathers: Thank you, Mr. Chair, and I would point out again that whether or not the Member for Kluane and his party had a copy of the letter from Champagne and Aishihik First Nations prior to bringing forth their amendment, I would make two points. First of all, if the member and his party had taken the time to speak to the Champagne and Aishihik First Nations, they would have found out that the Champagne and Aishihik First Nations had requested by letter from the chief an amendment to the definition that is reflected by the way the government has worded the definition in that area. The amendment that the member has tabled of course undid what the First Nation and others within those who responded had requested.

Also, I would point out to the members that whether or not they had a copy of the letter prior to the amendment being tabled, they did have the wording requested by Champagne and Aishihik First Nations prior to the vote taking place. They could have admitted that they were wrong or voted against their amendment or withdrawn it — they chose not to do so. There is not a lot of point dwelling on that specific area. It is simply one of the illustrative examples of the areas in which the members — particularly the number of amendments brought forward by the Liberal Party — represented a perspective that is a valuable

perspective, but it is only one perspective. They ignored the perspective of the majority of those who commented in the consultation stages. They ignored the perspective and the work done by the successor resource legislation working group which, of course, has membership representing First Nations as well as government. The membership of that committee is spelled out in the devolution transfer agreement. The members, again, ignored the perspectives of those not only within industry but others who commented during the consultation stage.

Again, I point out that, while the government recognizes that there were a couple situations where those who were involved in the consultation process would have liked different wording in the legislation, officials were faced with the very difficult task of bringing forward very diverse opinions on forestry matters. They did an excellent job of doing so, including even those who criticized it often noted that the legislation was, in their opinion, close to being the best forestry legislation in Canada. Again, we have reflected the views and perspectives drawn together from all who commented on this legislation and the policy work. Of course, that has been going on in excess of a decade related to forestry policy matters. All that work leads up to what has been brought forward in this legislation.

I would again point out that the approach that the Liberals brought forward in amendments — and the Liberals and NDP both supported — would have created a perpetual question mark around all dispositions. By their approach, even once issued, licences would mean nothing if a First Nation, who had not settled their land claims chose to assert that their aboriginal rights were affected by an already issued licence. That licence would then, by the member's proposed amendment, have to be amended. That would lead to a tremendous lack of certainty in the process. As I pointed out to members, the appropriate approach is for any consultation that is required to occur prior to licences being issued, not after someone has made investments, bought equipment and hired staff. Their approach would have led to a situation where no one would have dared buy equipment and hire staff, because their licence and even the rights that they had been issued in licences or permits would have meant absolutely nothing by the member's approach.

So of course we have to reject that approach of creating great uncertainty in creating an endless question mark for all who wish to use the forest.

I will not spend very much time talking about the Member for Kluane's debate in third reading. I do have to point out again to the member, if he wishes to talk about unproductive debate which he did, that the comments he made in third reading were comments he had made in many cases several times during second reading and Committee of the Whole and I spent a significant amount of time pointing out to the member the error of what he was purporting to be facts, explaining to him why he was mistaken in that and providing him information in that area.

I would also remind the member that on November 13, he spent a significant amount of time doing things, including spending two pages of *Hansard* explaining the Standing Orders and several more pages reading in a position paper that he al-

ready noted in his preamble had been tabled and of which all members had a copy.

But there is no need to dwell on those matters. I think at this point it would be useful if we all recognize the commitment that has been made to raising the bar in debate so I will not comment further on the member's speech.

I would point out again that the amendments brought forward by the opposition parties — particularly the Liberal Party — were in some cases not even in order. They were not very carefully worded in my view. They ignored the perspective of the majority of those who commented in consultation and the members in bringing forward arguments in favour of them and purporting to be comments particularly from renewable resources councils reflected on early-stage comments prior to a significant amount of the work being done and prior to the draft bill being presented and provided to those renewable resources councils.

I have pointed out on numerous occasions that the *Umbrella Final Agreement* supersedes this act. It is spelled out in section 4 of the legislation. I would point out in closing that the members' statements — particularly the closing statements made by the Liberal Party member — are quite simply full of significant inaccuracies and, therefore, they do not warrant a response and any response would not be in keeping with raising the bar of debate.

Therefore, in closing, significant time has been spent on this legislation and all the questions have been answered that have been brought forward by the members of the opposition. I would like to take this opportunity to acknowledge the incredible amount of work that has gone into this act and to thank those who participated in that process.

I would like to thank all, including those of the two focus groups, which were formed specifically for this purpose by the forest industry and self-formed forest values focus group. We appreciate their comments, we appreciate their perspectives, we appreciate them taking the time to provide their views. We thank all individuals and stakeholders who provided their comments.

I'd like to thank First Nations, renewable resources councils and everyone who took the time to provide their views on this important piece of legislation that is a significant step forward for the Yukon in having better legislation for management of the Yukon forest.

I would like to particularly thank members of the successor resource legislation working group for their extensive amount of time on this process, and to thank staff of the Department of Energy, Mines and Resources, as well as the legal drafters, for the significant amount of time they put into these areas.

I know the officials in Energy, Mines and Resources dealt with these matters, including public consultation, with a great deal of dedication, that they invested hours that will never be fully tallied in doing this work, in talking to citizens and explaining portions of the proposed bill to Yukon citizens and groups, to governments and renewable resources councils. I thank them for that extensive involvement of their time and for their personal contribution to bringing forward what is a good piece of legislation.

With that, Mr. Speaker, I commend this legislation to the House and urge all members to support it.

Speaker: Are you prepared for the question?

Some Hon. Member: Division.

Division

Speaker: Division has been called.

Bells

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. Fairclough: Agree.

Mr. Inverarity: Agree.

Mr. Hardy: Disagree.

Mr. Edzerza: Disagree.

Clerk: Mr. Speaker, the results are 13 yeas, two nays.

Speaker: The yeas have it. I declare the motion carried, and that Bill No. 59 has passed this House.

Motion for third reading of Bill No. 59 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: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 12, *Second Appropriation Act, 2008-09*, Department of Tourism. Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 12 — Second Appropriation Act, 2008-09 — continued

Chair: The matter before the Committee is Bill No. 12, *Second Appropriation Act, 2008-09*. We will proceed with Vote 54.

Department of Tourism and Culture

Hon. Ms. Taylor: Thank you, Mr. Chair. It is my pleasure to say a few words to introduce the *Supplementary Estimates No. 1*, for the Department of Tourism and Culture for 2008-09 fiscal year.

First of all, I would just like to extend my thank you to the officials within the Department of Tourism and Culture for their support and for their great hard work in efforts over the years in working to grow both the tourism and cultural sectors in the Yukon. There has been a lot of discussion about the direction the global economy is taking us these days and these are but two very important sectors in Yukon's economy — certainly in a diversified manner.

These particular cultures are very highly revered as being sustainable, as growing, and we have very much to be proud of in terms of what we have here to showcase and to promote as sustainable industries.

I just wanted to touch upon a few things incorporating many of the aspects of the tourism supplementary expenditures identified here today, but really to give this a bit more context. I did want to say a few words about tourism — where we've been, where we are and where we're going.

I don't have to belabour the issue that tourism is indeed an incredible sector within our economy, one that really contributes to Yukon's quality of life day in and day out. It's an industry that touches the daily lives of every person. It's an industry that is becoming more and more competitive every day. If there's one thing that I have learned over the years it is that tourism is a very resilient industry.

It's anything but status quo is what we have seen over the last several years. Rather, it's dynamic, it's global, and its success relies upon the very strength of working together in the strength of partnerships.

Certainly, when we look over the last several years, Yukon has undergone a number of changes. We've seen our fair share of challenges — whether it has been forest fires, flooding, increased fuel costs, weakening economies, a higher dollar — now that's reversed. But you know, as adverse as they have been, events such as these have really provided us an even greater incentive to be more collectively diversified, more strategic, more adaptable, more flexible, and more efficient in how we appropriate our resources in the administration of all of our marketing programs.

As I've reiterated on the floor of the Legislature time and time again, certainly the delivery of all of our marketing programs in the Department of Tourism and Culture follows the department's mandate of being industry-led, market-driven, and research-based. In this regard, our government has been very pleased and honoured to work alongside and in support of industry to grow tourism in the territory.

And it remains my strong belief that, because of the strong partnerships we've been able to garner over the last number of years, we have been able to weather the storms, relatively speaking, and we've been able to diversify tourism and grow this particular sector.

A case in point is when we look to 2007, for example. It proved to be a very good year in visitation to the Yukon. In fact, compared to the rest of Canada, Yukon actually recorded the second highest visitation since 1994. So that really showed, again, the highest growth compared to all other provinces and territories — I believe with the exception of Prince Edward Island, if I'm not mistaken.

So what we've been able to do is build on the success of initiatives such as the national marketing campaign, which was launched just prior to and carried on during and after the Canada Winter Games 2007. This has become a very successful initiative and, as a result, we have chosen to add on to this particular campaign through an expenditure called Destination: Yukon, which really delivers marketing in our key gateway cities — Calgary, Edmonton, and Vancouver.

In terms of its success rate, we've done very well over the last year and a half. As a result, we've identified an additional \$500,000 toward this integrated campaign. It has proven to be very successful. One only has to take a look at the continued success in visitation when it comes to individuals who are choosing to fly into the Yukon via the international airport in Whitehorse — and also leaving by aircraft. When we look at September year-to-date from a year ago, those statistics are actually up about 12 percent compared to last year. As I mentioned, last year was a banner year for the Yukon. We are very pleased to see this growth continuing. As a result, these expenditures will leverage additional success as a result of marketing campaigns such as the national marketing campaign, Look Up North, again building on the great gateway access we have through our local air carriers: Air North, Yukon's regional airline, and Air Canada as well.

Air North has done an exemplary job over the last number of years in being able to promote the Yukon, especially in our gateway cities. By providing these additional funds we are able to leverage their success even further, as well as ours. The two work hand in hand. The expenditure of the additional \$500,000 builds upon a key priority that was identified by our senior marketing committee. The senior marketing committee is a group of individuals comprised of expertise in marketing and they are a number of individuals who hold great degrees of expertise in marketing. They provide the Department of Tourism and Culture strategic advice in terms of providing us direction in tourism and marketing programs. One of the recommendations was to build upon consumer marketing awareness in our key gateway cities and other local domestic markets.

Other areas identified by our senior marketing committee and which have also been implemented in the past few years have included new investments in media relations, a new interactive strategy which included the new travelyukon.com Web site that we were able to launch not long ago. SMC is also reinforcing the importance of maintaining and growing partner-

ships with entities such as Alaska and our two sister territories, Northwest Territories and Nunavut.

In Tourism and Culture, we were also very pleased to deliver on another key recommendation identified by our senior marketing committee, and that was the tourism cooperative marketing fund. It provides funding to businesses, First Nations, municipalities, organizations and partnerships in promotion of Yukon's tourism product. In fact, housed within this supplementary is an additional \$21,000 for commitments made the last fiscal year where applicants weren't able to submit claims until after the end of the fiscal year. This program has proven to be a great, highly applauded program by industry. What began back in 2004 as a means to re-energize and revitalize tourism activities has proven to be a very successful program in its own right.

Another recommendation of industry was that of a new tourism brand for the Yukon. As such, we delivered "Larger than Life," which enforces Yukoners' own sense of pride and confidence in our home. In doing so, we've offered visitors a promise of what they might expect if they come and visit the Yukon.

In support of this new Yukon tourism brand, identified within the supplementary budget is an additional \$90,000 toward the printing of new banners, as well as new hardware and monies for the installation of the banners. The banners were put up two and a half years ago. As a result of our sometimes extreme weather conditions, they weather quite quickly. We're pleased to provide new dollars, a new investment, for the replacement of many of our banners that can be seen throughout the Yukon.

We continue to work with our respective communities on the look and feel of the respective banners, as well as finding creative ways of getting them up to be showcased.

We have also been able to deliver on new tourism product infrastructure. Certainly these are just as important as marketing, and certainly investments in our own people, in our own labour market, are just as critical to the growth of tourism as is marketing. Again, we have been able to deliver on a number of investments over the years, in Carcross and in Whitehorse, through the Canada strategic infrastructure fund that is really providing new dollars — \$3 million in the case of Carcross — in support of a whole host of initiatives toward the promotion of Destination: Carcross.

Likewise, in the City of Whitehorse, we're also very pleased to work with our respective partners within the boundaries to showcase the Whitehorse waterfront in a creative and certainly in an authentic manner that is genuine and that certainly will deliver on the promise that we make to visitors when they do come to the Yukon wishing to see quality, authentic product. We are very pleased to be able to allocate an additional \$19 million to the Whitehorse waterfront improvements.

Those are just a couple of additional items we have seen. We have seen tremendous growth in Carcross with the return of the White Pass & Yukon Route. After 25 years, I believe, we saw the return last year. Thanks to the partnership between Holland America and White Pass, and their work with the Carcross-Tagish First Nation, the local advisory council, as well as

the Chamber of Commerce and many others, we've been able to see the community working collectively on a downtown community plan under the leadership of the Department of Community Services. We've been able to see a number of key pieces of infrastructure being built in Carcross in support, and certainly, I was very pleased to be able to take part in a ceremony that designated the Caribou Hotel, for example, as a Yukon historic site earlier this year. Again, it just adds to the history and certainly adds to the level of product that can be delivered within the particular community in this regard.

We were also very pleased to see, of course, the construction of the new foot bridge that was launched a year ago and some. Work in Carcross this year included roadwork, a new boat launch, work toward retail space, tourism infrastructure, again, enhancing the trails and the new viewing platform as the MLA for the beautiful Southern Lakes just reminded me — another key piece of infrastructure that went into the Carcross area.

As I mentioned earlier, we have been able to provide a whole host of improvements along the Whitehorse waterfront. I believe the Government of Yukon has been able to contribute more than \$1.2 million toward the MacBride Museum expansion along the waterfront. For all members who haven't had the opportunity to see it, I would encourage all members to do that, because it is a key museum within the Yukon. They have worked very hard as a board of directors. There are many volunteers, many sponsors, many partners involved in that initiative.

As well, we have been working with the Department of Community Services, moving forward on a riverfront wharf project with designing underway and construction to take place in the next year or so. There's another strategic piece of infrastructure.

As well, we have been able to provide — working with Community Services — lighting, trail improvements, landscaping, First Avenue reconstruction and a number of heritage buildings that have been restored and rehabilitated. That work is underway in collaboration with the City of Whitehorse and so forth. Those are but a few of the items where we have been working together in collaboration.

Likewise, we have been very much engaged in a number of other key pieces of infrastructure, including the ongoing work at the Tombstone interpretive centre, and this will be a state-of-the-art building with real attention to minimizing its footprint on the environment.

It will serve as the economic catalyst for the region, but it will also be a prize or a very distinguished piece of infrastructure that will showcase the people of the Tr'ondëk Hwëch'in First Nation. It is a great collaboration between Tr'ondëk Hwëch'in, the Government of Yukon and Holland America as well, and we look forward to being able to open later on.

In the supplementary, there is also an additional \$34,000 toward improvements to the Forty Mile. Of course, Forty Mile is a historic site and has become, really, a major cultural heritage attraction that is being worked on in collaboration with the Government of Yukon and Tr'ondëk Hwëch'in First Nation. These improvements build upon the \$175,000 that was identi-

fied in this year's budget earlier on; this is to go toward enhanced improvements to the campground and also the northern strategy initiative that was identified earlier this year and improvements to the Forty Mile Road.

Mr. Chair, there are so many other key pieces of infrastructure and expenditures identified, including \$41,000 in additional money for museum projects that couldn't necessarily be completed in the last fiscal year, and in support of a number of key museums in Yukon, including the Kluane museum, Town of Faro, the Teslin Historical Museum Society, Tr'ondëk Hwëch'in First Nation, and so forth. Of course, our government has been very pleased to build on dollars allocated for the growth of museums, including community interpretive centres, First Nation cultural heritage centres and so forth.

Again we are very pleased to build on that and we are providing more than \$1.3 million in funding this year alone for direct funding for those particular institutions. Likewise the supplementary also identifies additional dollars for the arts. In fact, as you will recall, Mr. Chair, it was about a year ago that we were able to announce about \$568,000 to the arts budget for a number of programs.

Mr. Chair, I see my time is up so I will look forward to continuing with my address.

Thank you.

Mr. Fairclough: I have a few questions for the minister. The minister talked about Destination: Yukon and the marketing campaign and additional dollars for that. I have a constituent who is living in Calgary who noticed a leaflet stuck in a local newspaper. It was a Sunday paper; it wasn't a Friday paper but it was a Sunday paper. It is from the Tourism department here and it is marketing the Yukon.

I had the pamphlet scanned and sent to me. I believe I've seen this one in the papers before, but it's not a very attractive postcard or card at all. It does have the Larger than Life logo on the back of it and has two pictures on it. I'm just wondering how these pictures were approved by the department to sell Yukon to the rest of the world.

One of them is a woman plunging a kitchen sink with a plunger, trying to unplug the drains; the other is a woman pushing a shopping cart in a parking lot. That's the front part; that's the sale to the Yukon.

I didn't see that as being attractive. The person who sent it to me raised concerns about it and wanted to know why we have gone this route or what it really meant. What does it really mean for the Yukon?

The minister said that this marketing program — this marketing campaign — is working. That doesn't seem to be a very attractive piece of message that we're sending out there to get people to the Yukon. I would like the minister perhaps to explain that one, and perhaps she can clearly lay out what we are going to do differently, as far as that type of information going into papers in different parts of Canada here and elsewhere that will show something a lot nicer and a lot more attractive to people reading this who want to come here to the territory.

Hon. Ms. Taylor: As Minister of Tourism and Culture, and as the member opposite can appreciate, I certainly

don't get involved with picking and choosing photos, in terms of the delivery of all of our marketing campaigns.

Certainly, we leave that up to the good work of the respective officials and the contractors that we do work with who are hired through standing-offer agreements that are let every year. But Destination: Yukon does provide an opportunity to leverage the enhanced awareness about the Yukon in our respective jurisdictions. I refer to Calgary, Edmonton, Vancouver, even the greater Toronto and Ottawa areas as well. Those have been identified as key markets for us and because of their accessibility they have been very affordable. Yukon has become an affordable, accessible place of adventure and a place of interest for many.

So how do we garner the attention? As I mentioned, tourism is much more competitive these days and these years compared to what it has been in the past 50 years. We rely upon the expertise, but certainly we can take this back to the department. I'm sure the department officials are listening to this discussion and we will have them follow up on that particular use.

In terms of other opportunities for the Yukon, I just refer to the 2010 Winter Olympics and Paralympics coming up and the great and unique opportunities those will afford the Yukon. We have been working with VANOC and with our respective partners here in Yukon to find ways to showcase the Yukon. We look forward to that because, from a tourism perspective alone — never mind the cultural perspective — when we look at the 2010 games and all the accredited and unaccredited media personnel who would be present, they are estimating thousands of individuals from the media present. They will be there for the games, first and foremost, but as they have been in previous summer and winter Olympics, they're there to tell the story about the country. They're there to tell the story about the different regions and what makes that respective country so very unique.

In Canada, the three northern territories — Canada's north — we've seen incredible interest in the north on all fronts, certainly from a tourism perspective, as we've seen through the national marketing campaign, the Look Up North campaign, and how all eyes were really cast on the north during that time in 2007. That has really built awareness of the north as a destination of choice and as a good place to invest and a wonderful place to live and raise your own family.

Building upon that particular success of that campaign, industry has identified that we need to further grow those opportunities. We need to further garner momentum. We need to further raise awareness about the north in such a manner by looking to integrate our marketing campaigns, looking to integrate the Tourism North campaign, for example, with a gateway cities campaign and others — scenic drives initiatives, another new campaign that we introduced, I think it was back in 2004-05 as well — in finding great ways, again, to integrate but also to leverage the success that has been built in previous years and garnering more consumer awareness of the Yukon as a destination of choice for travel.

As a result, we were able to identify these additional dollars, used in a whole number of different media. Again, it just builds on a number of other recommendations that have been

made by industry and followed through. I also have to say that each of our marketing campaigns are assessed every year by our senior marketing committee. They do look at them and see what has generated results and what hasn't generated results. Have we met our targets? Are we below or are we above? Do we need to enhance the strategic investments? In this particular campaign, do we need to reduce investments in this campaign? That is really the strategic advice that we receive by industry and it has worked well for Yukon over the years.

In terms of other recommendations that they have made — whether it has been media relations — we have significantly increased dollars made available for media relations. We will likely also be targeting additional dollars to be strategically invested in this particular area, in terms of getting prepared for the 2010 Olympics as well.

As I mentioned earlier, we've also followed the advice of industry in terms of creating a new Yukon tourism brand, and we were able to do the research. I do know at the time there was some debate in the Legislature about whether or not this was the best tourism brand for the Yukon. I remember, as I was articulating to the former Member for Klondike at that time, that really we rely upon a lot of research that is undertaken by the tourism industry to see whether or not a marketing campaign or a tourism brand is working, whether we need to tweak it or go back to the drawing board and so forth. So everything is research-based; it's market-driven and it's industry-led. Again, this is but one more example of those particular initiatives.

As I mentioned before, we do measure the success rate of our campaigns through a marketing conversion study that we conduct every year with an independent contractor who is let. We're able to see if in fact it garners success or if it hasn't.

There is marketing; there are so many different ideas and wonderful perspectives on how we can market our jurisdiction. The fact is, though, here in the Yukon we have a relatively small population and, compared to the other jurisdictions of our neighbours, we find we need to strategically invest the dollars where we have the biggest return on investment. We need to strategically invest those dollars in key areas in this particular aspect: it's in the key gateway cities here in Canada.

Traditionally last year we saw a significant increase in Canadians coming to visit Yukon. We want to continue to build on that success, but we also continue to market to the United States. We also continue to market to Japan and key cities within Asia, as well as Europe. German-speaking Europe has become another bright spot in terms of visitation numbers. In fact, when we look at September of this year-to-date from a year ago, we have again seen another increase of five percent in that particular market compared to other markets.

It is a great thing that we are able to rely on others such as Condor Airlines, the German travel trade wholesalers. The operators over there are working with our local operators, as well, providing the product. We have been very fortunate to be rewarded with great success in terms of more Europeans choosing to make the Yukon their destination. We have seen that with a five-percent increase from last year. Again, when we look to last year, it was a banner success for the Yukon.

So we see that there are a number of different areas where we do see bright lights. We do see that there are challenges, of course, as is facing the globe worldwide. We need to be strategic in our investments. We need to look at how we invest and we are doing just that.

So I thank again the member opposite for his input, and we'll certainly look into that. Thank you.

Mr. Fairclough: I thank the minister for that answer. I know my constituent was quite surprised when she saw this leaflet in the paper, and was a bit shocked because Yukon has a lot to offer and the pictures certainly didn't do Yukon any justice. I understand, as I look at it, trying to get people from the busyness of city life into the quietness and the wilderness of the Yukon may be the message.

Now, the minister also said that the numbers were up as far as border crossings and rubber-tire traffic and so on. Can the minister tell us what is contributing to this?

Is it the numbers on the Whitehorse to Carcross route and whether or not this is rubber-tire traffic — RV tourists versus those on motorcycles — and what is going to be done to improve the numbers for next year?

I would like the minister to answer those questions and also provide an explanation about the numbers. As I look through the finances of the operation and maintenance budget in the mains from the year before, to what we had voted on recently, there was a decrease in those numbers.

What we're doing with the increase in the supplementary budget is basically bringing the numbers back around to basically what they were last year. If the minister could give us an explanation about the decrease and what is so different, I guess, in this supplementary budget — the amount — bringing it back up to what it was last year. Could she give us clear answers on that because there was a big difference of 13 percent?

Also, I asked the minister what the department would be doing as far as its campaign to —

Chair: Order please. Seeing the time, the Chair will rise and report progress.

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: Thank you, Mr. Speaker.

Committee of the Whole has considered Bill No. 12, *Second 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 Sessional Paper was tabled December 1, 2008:

08-1-93

Election-Related Matters (2008): Report of the Chief Electoral Officer of Yukon on (Speaker Staffen)

The following document was filed December 1, 2008:

08-1-74

“Working Without Boundaries, Final Report” (dated May 20, 2004): interdepartmental collaboration project (Education, Health and Social Services, Justice) (Hardy)