

Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, November 24, 2009 — 1:00 p.m.

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes that have been made to the Order Paper. Motion No. 87 and Motion No. 477, standing in the name of the Member for Mount Lorne, have been removed from the Order Paper as they are similar to Motion No. 850, which was adopted by this House on November 18, 2009.

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of Robert E. Leckie Awards recipients

Hon. Mr. Lang: Mr. Speaker, on behalf of the House I'd like to pay tribute to the recipients of the 2009 Robert E. Leckie Awards.

I rise today to pay tribute to the recipients of this year's Robert E. Leckie Awards and to recognize the outstanding reclamation efforts of 2009.

The awards were created as a tribute to the late Robert E. Leckie, who worked as a mining inspector in Mayo from 1987 until November of 1999. During this time, Mr. Leckie was influential in educating area miners on the benefits of thoughtful reclamation practices as they applied to placer mining. He was also a leader among his colleagues in developing a cooperative working relationship between the government and industry. The awards given in his honour reflect Mr. Leckie's dedication to mine site reclamation by acknowledging members of the industry for their exceptional reclamation and restoration efforts.

As the Minister of Energy, Mines and Resources, I had the honour of presenting the awards to this year's winners at the Yukon Geoscience Forum banquet.

Mr. Speaker, today I would like to once again congratulate this year's recipients. The 2009 Leckie award for outstanding placer mining reclamation practices has been awarded to Favron Enterprises Limited. The Favron family has been in placer mining in the Last Chance and Hunker Creek area in the Dawson mining district since 2004. After cleaning up the site, which was severely impacted from historical activity, they have shown exemplary efforts in continual reclamation.

This year's Leckie award for outstanding quartz reclamation practices was presented to Western Copper Corporation. Western Copper's exploration project is taking place near Pelly Crossing in the Whitehorse mining district. The vigorous reclamation of two abandoned camps and the cleanup and re-

establishment of a well-designed camp and airstrip have earned them the recognition they deserve.

In addition, I would like to acknowledge Strategic Metals Ltd. for an honourable mention. Strategic Metals has been operating in the Eureka Creek/Black Hills area in the Dawson mining district. The company has consistently complied with best management practices and has exceeded final decommissioning requirements.

Mr. Speaker, the recipients of this year's Robert E. Leckie Awards go above and beyond the normal call of duty in responsible mining and reclamation. Please join me in paying tribute to the outstanding efforts of these companies that show their true dedication to this work.

Thank you.

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

INTRODUCTION OF VISITORS

Hon. Mr. Rouble: I'd ask all members of the Assembly to join me in welcoming Mr. Greig Bell and the students in the achievement, challenge, environment, and service — ACES — program from Wood Street.

Welcome.
Applause

Speaker: Are there any further introductions of visitors?

Returns or documents for tabling.
 Are there any reports of committees?
 Are there any petitions to be presented?

PETITIONS

Petition No. 10

Mr. Cathers: Mr. Speaker, I rise to present the following petition from a number of Yukon residents asking the Yukon Legislative Assembly to support the continuation of CBC's AM transmission Yukon wide.

Speaker: Thank you. Are there any further petitions?
 Are there any bills to be introduced?
 Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House commends the Government of Canada for introducing Bill C-58, *Child Protection Act (On-Line Sexual Exploitation)*, to assist in the fight against sexual exploitation of children by requiring suppliers of Internet services to report Internet child pornography, and urges all Members of Parliament to support the passage of the bill.

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

THAT this House urges the Minister of Environment to clarify how the following statements by the Minister of Eco-

conomic Development during debate on November 23, 2009, advances the fight against global warming, and I quote:

“It is always said that most things have to be done in moderation, but the global warming issue is something that has been there and it’s developing.

“I personally think that the jury is still out to a degree as to causes. I tend to think that if you go back millennium — and perhaps thousands of years — and you can do that through monitoring patterns, rings of trees and all sorts of different ways — you find that there is a natural cycle. I think— I won’t say ‘logical conclusion’ because it is always arguable — can you really say that man has caused the problem? I think not.”

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

THAT this House urges the Yukon government to work with the Yukon Teachers Association to come to a successful conclusion of ongoing contract negotiations.

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

THAT this House urges the Yukon government to work with, and provide support to, the CBC on relocating the equipment being removed from the Whitehorse AM transmitter to amplify the power at one of the following AM transmitters:

- 1) 990 AM Carmacks,
- 2) 560 AM Elsa,
- 3) 1230 AM Mayo, or
- 4) 990 AM Ross River;

in order to increase the reach of the much needed AM radio signal to remote rural Yukoners.

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

THAT this House urges the Minister of Environment to provide the House with an update on actions completed as part of the Government of Yukon’s climate change action plan prior to the all-party delegation’s departure to the United Nations Climate Change Conference in Copenhagen, Denmark.

I also give notice of the following motion:

THAT this House urges the Yukon government to reconsider establishing a formal sister-province relationship with China’s Shaanxi province, or any other political jurisdiction in China, until such time as governments and industries there start enacting and enforcing measures to adequately address the pressing issues of global climate change, environmental pollution, human rights and worker health and safety that are arising from the carbon-intense industrial activities located in the region.

I also give notice of the following motion:

THAT this House supports the call by the federal NDP, Amnesty International and the B.C. Civil Liberties Union for a public inquiry into the alleged torture of Afghan detainees handed over by Canadian troops.

Speaker: Are there any further notices of motion?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Government consultation

Mr. Mitchell: This Yukon Party government seems to have one attitude and one method when it comes to handling conflicts. It’s a way of doing business that has lost the trust and the confidence of the public. This government’s attitude is high-handed and absolutist. Instead of working with Yukoners to determine the territory’s future, it dictates it. Not only does this government see no need to act cooperatively, it gets irate when asked to do so. If Yukoners don’t get bowed down by this attitude and comply, the government has one solution — they’ll go to court and wear them out with litigation.

This is the same government that keeps telling us about its good relations with First Nations, about how it works collaboratively with community interests and how it respects its partners in education. Well, if this government is so agreeable, why do Yukoners have to keep taking it to court?

Hon. Mr. Fentie: I think it’s obvious that the Leader of the Official Opposition does not recognize that due process is available for all — whether they be citizens or other orders of government, it is there and made available to pursue, and it’s called “justice”.

Mr. Speaker, I know the Leader of the Official Opposition is referring to a specific litigation that was not commenced by the government — it was commenced by another order of government — but always, when those choices are made, all must recognize and understand that the full course of due process may and could evolve.

In the case of Little Salmon-Carmacks and the Paulsen matter, that is exactly what happened. The government is not litigating against anybody. The government has asked a very important question and presented it before the Supreme Court of Canada. Do we in the Yukon, in fact, have final agreements? It is a matter of clarity for the benefit of not only First Nations but for Yukon and indeed Canada. In many other jurisdictions, the negotiations of final agreements are either well underway or commencing.

Mr. Mitchell: Mr. Speaker, this government is setting all-time records for having to defend itself in court. Right now, this government is trying to defend legal action brought by the Commission scolaire francophone du Yukon for not living up to the Yukon *Education Act*. Right now, this government is in court for not adequately consulting with the Little Salmon-Carmacks First Nation when granting a land lease in its traditional territory. The Premier has declared that even if the government loses this battle, it probably won’t change the way it handles leases.

It wasn’t that long ago that Kwanlin Dun First Nation had to take this government to court to protect the provisions of its land claim agreement. By its land claim, it has bid rights on certain construction projects but it had to call on the courts before being able to actually exercise those legal rights as set out in the Yukon asset construction agreement. When is this gov-

ernment's policy of "If you don't like it, sue us" going to change?

Hon. Mr. Fentie: A very cunningly crafted question, Mr. Speaker — unfortunately, it's void of the facts. The member referred to the fact that the government does not consult, as it's obligated to do under the treaties. The appellate court clearly made that decision and ruling that in fact the government does consult and did consult.

Secondly, the member has now referenced the fact that a specific treaty in Yukon with a First Nation has provided the First Nation with bid rights; that is not correct. The treaty provides that when the government's project or infrastructure investment within the traditional territory of said First Nation reaches a threshold of \$3 million plus, we must negotiate a Yukon asset construction agreement. So the member is wrong on all counts and should review the cunningly crafted question and bring the facts to this House.

Mr. Mitchell: I see we're again drowning in non-answers. None of these parties — the Kwanlin Dun First Nation, the Little Salmon-Carmacks First Nation, the Commission scolaire francophone du Yukon — wanted to take the government to court. What they wanted was for the government to live up to its legal obligations without having to be forced to do so.

The chair of the francophone school board said, "This court action is the latest step in the long process of dealings. Several years of negotiations between the school board and the Yukon Department of Education have not lead to significant developments. Therefore, the school board has chosen to appeal to the court to obtain a decision and move the case forward."

This government spends a lot of time in court and it burns through a lot of goodwill and a lot of the public's money in the process. The government has budgeted \$150,000 just to fight this one court case. The Premier said that people, First Nations and anybody has a right to seek the court's ruling on any matter. Isn't it time this government found a better way of resolving its conflicts?

Hon. Mr. Fentie: The short answer is that the government has found a better way, and that's why we've been successful on so many fronts. That better way includes partnerships with our federal government. That resulted in hundreds of millions of dollars made available for the Yukon. Partnerships with our sister territories resulted in advancing a northern vision, health care, climate change, adaptation, Arctic sovereignty.

Mr. Speaker, we have developed a number of partnerships with First Nations that have resulted in what I would call approximately a 35-page document full of initiatives of collaboration. We have found a better way, Mr. Speaker, but this government — unlike the Official Opposition — will never ever stand in the way of the rights of individuals to seek justice.

Question re: Yukon Energy Corporation/ATCO

Mr. McRobb: I would like to return to the Yukon Energy Corporation privatization scandal, because there is still a lot this government needs to answer for. When this scandal broke in early June, it made for a very interesting summer. Fol-

lowing the ongoing saga was like a soap opera with increasing drama in each episode. Yukoners listened intently as the Premier repeatedly denied the negotiations, each time setting the stage for the former Yukon Energy Corporation chair to release internal evidence that proved otherwise. The Premier's own letter to ATCO a year ago is one such piece of evidence. He wrote that he was looking forward to, "Future discussions and the implementation of a new corporate entity for developing the Yukon's electrical infrastructure."

Why was he secretly negotiating with this Alberta company, yet publicly denying it to Yukoners?

Hon. Mr. Fentie: Well, one thing has become very clear: the struggle the Official Opposition is having in trying to understand the difference between soliciting and fostering partnerships and investment for the Yukon. Somehow in their minds those equate to privatization. Even the documents that the Member for Kluane refers to are an incorrect interpretation of said documents. We have done extensive — extensive — public consultation with Yukoners on the energy strategy. It is an adopted policy; it is the blueprint that the government is following. It includes the fact that this government will place emphasis on partnerships, building partnerships, on governance and structural issues with its public utility and corporations, but of course always seeking to meet the objective of efficient, affordable and reliable electrical energy provided to the Yukon consumer.

Mr. McRobb: The Premier may have been able to convince his remaining colleagues, but we don't buy it and neither do the majority of Yukoners. Each time the Premier denied emerging aspects of the scandal, new evidence was brought to light that proved him wrong.

This evidence includes his own letters with his own signature. Aside from the enormous consequences of relinquishing control of our energy and water resources, the real issue became this government's lack of integrity. The resignation of his former Energy minister — along with certain disclosures he made — confirmed what many of us already knew.

When is the Premier going to release the remainder of the evidence that he promised to this House weeks ago?

Hon. Mr. Fentie: Well, the Member for Kluane is doing such a good job of releasing evidence and then misinterpreting it, we'll leave it in the hands of the Member for Kluane and the Official Opposition. As we've pointing out, Mr. Speaker, even the evidence that they've tabled here in this House actually refutes suggestions of such things as integrity or lack thereof. This is a serious matter that the Member for Kluane has now put on the floor of this Legislature, and I would caution the Member for Kluane that it works both ways.

Mr. McRobb: Yesterday I pointed out how this government likes to spin bad news into good news. Today the Premier's trying to turn a raisin into a plum. Instead of being willing to engage in serious dialogue about government accountability, it's all about the packaging, the messaging and the performance.

The joint position paper tabled in this House is sound evidence proving the case against this government, yet the Premier and his colleagues repeatedly suggest evidence that corrobo-

rates their story even though the paper documented a phone call between the Premier and ATCO. Yesterday the Premier denied discussions with ATCO, but his own letter sent a year ago to ATCO is yet another piece of evidence that proves otherwise. When will the Premier fully divulge the details of his secret parallel process in which he negotiated with this Alberta company?

Hon. Mr. Fentie: Mr. Speaker, I hope I don't have to refer to *Hansard* from yesterday for the member opposite, but the government was very clear in not selling Yukon's water or privatizing anything. It is a good thing the Member for Kluane and his colleagues aren't prosecutors because, with what they consider to be evidence, they wouldn't win any cases. Let's look at what the Official Opposition has actually been saying. They are suggesting that partnerships are privatization. They are suggesting, with respect to the Peel watershed, that providing corporate direction, as we are obligated to do under the *Umbrella Final Agreement*, is actually interference. They have now suggested in this House that when it comes to water testing, Energy, Mines and Resources officials aren't competent. And by the way, they have suggested that we are selling water assets — Yukon's water. Does the member not read the devolution transfer agreement? Does the member not know that we do not own those resources and in all likelihood selling Yukon's water resources would require an act of Parliament? I think the members should do a little better job in looking at the facts and forget the cunningly crafted questions.

Question re: China coal mining pollution

Mr. Cardiff: Yesterday we heard some nice sounding sentiments from this government on what it is doing to address global climate change, but it will take more than words to reduce greenhouse gas emissions enough to prevent our icecaps and glaciers from melting, our seas from rising, our deserts from expanding and food production and security from becoming badly compromised. The Minister of Economic Development is very proud of the business partnership he has established with Shaanxi province in China. In fact, he announced it in a release dated October 28, stating that the Yukon government has entered into a "sister-province relationship" with that jurisdiction. Is the minister aware of the appalling record this region has when it comes to greenhouse gas emissions due to the mining and burning of coal, water pollution from industries and cities, human rights abuses and mineworker health and safety?

Hon. Mr. Kenyon: I wasn't aware of the fact that the member opposite had the opportunity to travel within that province and see for himself.

China is a rapidly developing nation. I think people look at it in a lot of different ways through their own rose-coloured glasses. For instance, a clean-coal technology operation goes up; they fail to mention that seven operations under the old technology coal are gone. You can't deal with a country that large and with that many people without making slow progress, but the progress is occurring. I think what that province needs is more Canada, and it needs more Yukon. We're very pleased to be able to work with that province and to help them achieve those goals.

Mr. Cardiff: The minister doesn't have the corner on knowledge about what's going on in China. In 2004, China reported 80 percent of the world's total coal mining-related dust, although it produced only 35 percent of the world's coal. It has seen an annual average of about one million industrial accidents since 2001 with nearly 140,000 deaths each year. An explosion at a coal mine in Shaanxi province on November 28, 2004, killed 166 miners and this week, tragically, more than 100 coal miners died in an underground gas explosion in Heilongjiang province in northeastern China. We offer our sincerest condolences to the families of the victims of this unfortunate and most unnecessary tragedy.

Now, the press release that the Minister of Economic Development put out talks about enhanced business trade and investment opportunities. Does the minister raise the concerns that Yukoners have about worker safety and how will this new relationship have a positive —

Speaker: Thank you. Minister responsible, please.

Some Hon. Member: (Inaudible)

Speaker's statement

Speaker: Order please. Member for Mount Lorne, you have one minute to ask your question. The honourable member knows that. When the Speaker interrupts, please respect that. Honourable minister, your answer, please.

Hon. Mr. Kenyon: Again, China is a huge country, with a very long and varied history, in varied parts. We certainly join with the member opposite in expressing our concern and condolences of the accident recently in Hebei province — actually, the Hebei region of Heilongjiang, which is about as close to Yukon as Xi'an in Shaanxi province, as Yukon would be to northern Newfoundland.

I think what we need to do is to work with the Chinese. They're willing to work with us on some problems, and we are more than willing to work with them. They need more Canada. I don't accept the member opposite's idea that we simply dismiss and ignore a group because of the problems. I think Canada would be in a much better position when it deals with some of its own problems, and we do have our own problems with that.

When Canada does something about Davis Inlet, I think we have a better stance to complain. Right now China needs more Canada and we're happy to work with them on that.

Mr. Cardiff: Beijing's future water resources are being threatened from pollution of the Han River, which originates in China's Shaanxi province. It flows for 600 kilometres through three cities and 27 counties that are discharging more than 160 million tonnes of sewage each year. There are only two sewage disposal plants along the Han River Shaanxi section and they have a combined disposal capacity of just 30 million tonnes per year.

The Economic Development minister must see the contradiction between what his colleagues said yesterday about needing to reduce our carbon footprint and exporting raw minerals to support an economy heavily dependent on carbon-intense industrial activities.

Does he realize that this practice contributes to global climate change?

Hon. Mr. Kenyon: It's good to know that the member opposite can also read Wikipedia. There is a lot of data in there that certainly can be drawn on, but again, a partnership between Canada and China is a very logical one. We have a lot to offer China. We have a lot to offer in solutions. We have a lot of green technology that we can give to them. I'm not prepared to cut them out of the equation, as the member opposite seems to be.

Question re: Roads to resources

Mr. Cathers: Last year, the Minister of Highways and Public Works and I jointly announced the creation of a new program for improving the resource access roads. The resource access road program responds to the increasing demand for upgrading and improving public roads that are used to access valuable natural resources.

Investing in improving these access roads supports the continued growth of the Yukon's resource sector which, as you know, is a key engine of the Yukon economy.

In 2008, \$500,000 was invested in this program and it was raised this year to a level of \$1 million. I know the projects that were approved for funding this year, but my question for the Minister of Highways and Public Works is this: what projects funded this year through the resource access road program were completed and how much money from this year's funding will be either lapsed or revoked?

Hon. Mr. Lang: We did put the resources together to fund this very needed program. When he asks about projects completed, I can look at 2008, which is South McQuesten Road — there were culverts, ditching, grade raising and surfacing; Minto access — clearing and upgrading work and surfacing; and Dawson mining roads — grade raised, ditching and surfacing. So that was in the year 2008.

In 2009 — these are ongoing projects: Casino Trail — culverts, ditching, grade raise and surfacing; Dawson mining roads — culverts, ditching, grade raise, surface, bridge repairs and brushing; Mayo mining roads — ditching, grade raise, surfacing, bridge repairs and culverts; Freegold Road — ditching, grade raise, surfacing and truck pullouts installed; Nahanni Range Road — ditching, grade raise and surfacing; Duncan Creek Road — raising the grade; Davidson Creek bridge — upgrade work on the bridge itself; and South McQuesten bridge — it was an upgrade piece of work.

I can report that these projects are either completed or in the process of being completed.

Mr. Cathers: The Minister of Highways and Public Works didn't fully answer the question but I gather that he doesn't have the information in front of him. If he would please provide me with the numbers in answer to my first question in the form of a letter or a legislative return, I would appreciate that.

Freegold Road is becoming increasingly important to the Yukon's resource economy and several promising exploration projects and development of a Carmacks copper mine are already significantly increasing the traffic on this road. The road is very important commercially and is also a public road.

Some work has already been done, as the minister noted, to upgrade it to improve safety and prepare it for future traffic demands, but more work will be needed. Will the Minister of Highways and Public Works please tell me what the department's current plans for upgrading the Freegold Road are, including the anticipated schedule for this work to occur?

Hon. Mr. Lang: Freegold Road is important. There is a growing traffic count on that road. As you can see, in 2009 there was a ditching program, grade raise and surface work, and of course, truck pull-outs were put in place. But as we go forward in next year's budget, certainly the resources that would be spent on the Freegold Road would be at that time discussed. But at this point, I don't have a go-forward plan on that.

Mr. Cathers: Mr. Speaker, I appreciate the minister's response. I look forward to receiving more details about that as the department's plans get more finalized and the budgetary process evolves.

Mr. Speaker, the North Canol Road is another public road that will soon be experiencing much heavier traffic due to mining in the area. Development of mines, including the Mactung and the Sullivan project, will increase both volume and weight of traffic on this road. These projects will be a valuable part of the Yukon's developing resource sector and will significantly benefit our economy. The North Canol Road is in need of major upgrades to facilitate these projects and protect public safety on this highway.

My question for the Minister of Highways and Public Works is this: would he please update me on his department's current plans for updating the North Canol Road, including as much information as he has at this point in time about the schedule of planned work?

Hon. Mr. Lang: In addressing the question, Mr. Speaker, a workplan has been put together for the North Canol from Ross River to the Yukon/Northwest Territories border. We are monitoring the traffic. We did some brushing from a safety point of view, but as that industry grows and there's commitments from mines like Mac Pass and these other investors, there's going to have to be money invested in that road. There is a plan — it's on the shelf, ready to go. We just have to monitor the traffic and also the needs of the road. It's a huge investment for the Yukon and again, it depends on budget decisions, but we do maintain it to a level and we do brushing and do the maintenance that we have to, to keep the road in the condition it is in now.

Question re: Whitehorse Correctional Centre rebuild

Mr. McRobb: There's some very interesting discussion taking place these days among contractors in the Yukon. Several contractors are very concerned and want an explanation. The matter has to do with the territory's largest capital project, the \$70 million replacement of the Whitehorse Correctional Centre in Takhini.

The reason for their concern is apparently the concrete footings for the structure were poured in the wrong place. The usual practice is to jackhammer them out and start over, but in this case apparently a large crane was called in to pick them up

and move them into proper position. What can the minister tell us about this matter?

Hon. Mr. Lang: I would have to look into that issue. It is an issue that I have not been brought up to date on. I certainly could get an answer back to the member opposite.

Mr. McRobb: Well, Mr. Speaker, this is very interesting. For the minister's information, I have heard directly from several reputable sources about this matter. Contractors are bewildered at why such a thing would even be allowed. They say the onsite inspectors should have prevented this shortcut and they wonder why it wasn't done.

Contractors have explained the folly of moving concrete footings already in place. They have said these footings will crack if they are moved and jeopardize the building on top of them. As you know, Mr. Speaker, a building is only as good as its foundation. When the minister investigates this matter, can he come back with a full explanation including how this matter could have been overlooked by inspectors?

Hon. Mr. Lang: Understanding the question and the Member for Kluane — we have to keep in mind the source of the question. I certainly will be working with the department. Mr. Speaker, we have very highly trained inspectors on the job. I will not bring up an argument about personnel. These people are qualified; they are on the job and they make the calls. I said to the member opposite that I would look into the issue. This was an issue that was done. We have a very reputable organization — Dominion Construction in partnership with the Kwanlin Dun — overseeing that project. The engineers and the inspectors on the ground are very highly versed in what they do. Let's all consider the question from the Member for Kluane, understanding the things he puts on the floor here. I will do my work and I will answer that question, but I will not stand up in the House and say anything about the calibre of inspectors we have on that site.

Speaker's statement

Speaker: Before the next question, I'd just like to remind all members that we accept members as being honourable in this House, and we don't question the integrity of either the questions or the answers. I'd ask the honourable members to please respect that.

Question re: Government construction projects

Mr. Inverarity: I have a question for the Minister of Highways and Public Works also. Tomorrow afternoon we will be debating the matter of confidence in this government. One of the many reasons Yukoners no longer trust this government is because of its poor record of managing construction projects. The Auditor General of Canada has been quite critical of how this government manages projects, and with good reason.

The list of mismanaged, overbudgeted and late construction projects is rather long — the athletes village, the new school in Carmacks, and the Watson Lake hospital, to name a few that come to mind. Does the minister agree with the criticism in the Auditor General's report?

Hon. Mr. Lang: We certainly work with the Auditor General of Canada, and we appreciate her comments on any of our departments. She's a tool the government uses. She's very

effective, and she oversees the departments and does her work on a regular basis. We work with the Auditor General to address any shortcomings she sees in the department. As far as Highways and Public Works is concerned, we are doing just that.

Mr. Inverarity: It sounds like the minister agrees. Now, Mr. Speaker, the Auditor General's audits have identified massive cost overruns and problems with how this government manages its capital projects. Just this spring, the Minister of Justice admitted the government was going ahead with the new corrections centre before the design plans were even completed, and they wonder why these projects go overbudget. The poster child for this fiscal incompetence is the Watson Lake health centre promised in 2002 and originally budgeted for \$5 million. The project has now changed from a health centre to a hospital, and the costs have skyrocketed to \$25 million. The project has been plagued from the start by the lack of accountability, poor management and massive cost overruns. This is another reason why the public no longer trusts this government. Does the minister accept responsibility for these massive cost overruns, or is it someone else's fault?

Hon. Mr. Lang: Mr. Speaker, I find it amazing in the House here on a daily basis; it's like a different world. But in answering the member opposite, we as a government certainly were the ones who requested the Auditor General to come in and oversee our departments. We're the ones in this government who request the audits from the Auditor General. That's what good governance is all about, Mr. Speaker: it's about having the Auditor General doing her good work and coming back with recommendations on how we can run a better government, a tighter government and a more transparent government. We do that. We request it and it has worked. We have worked with the Auditor General in many of our departments.

Mr. Inverarity: Yukoners expect more from their government. The Auditor General has been very critical of the way this government handles capital projects. In her 2007 audit, the Auditor General looked at 10 projects. Every one was overbudget; that's more than \$8 million squandered on cost overruns. In Dawson City, residents are still looking for improvements to their health care facilities. In 2002, the cost was \$5 million, and now the new price tag is over \$25 million. It's clear that the government has learned nothing from its past mistakes.

Is it any wonder that the public has lost confidence in this government? Does the minister accept responsibility for these massive cost overruns that happened under his watch?

Hon. Mr. Fentie: Now that the Official Opposition has represented their view of building hospitals in rural Yukon, let me point out to the Member for Porter Creek South that in changing a seniors assisted living facility to a hospital, there's going to be an increased cost.

By the way, we are completing a super green construction building for seniors' needs in Watson Lake, as we speak. The demonstrated need in the health care system of this territory clearly shows that we either invest in hospitals in communities like Watson Lake or Dawson City, or build them here in Whitehorse.

In the best interests of the Yukon, its public and especially rural communities, having a hospital, with the cost that is required to build a hospital, is one that Yukoners readily accept.

The other point is this: the member opposite has said there was a cost overrun in the athletes village. I don't know how the member can come to that conclusion. The bid committee had a \$2.8-million assessment for an athletes village — I guess it was to be camp shacks. We built an affordable housing facility for seniors and we built student residences for Yukon College, to bring Yukoners into Whitehorse to get educated — a valued investment, Mr. Speaker.

Speaker: The time for Question Period has now elapsed.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Point of order, Member for Lake Laberge.

Mr. Cathers: I wish to advise the House that on Tuesday, November 24, Wednesday, November 25 and Thursday, November 26, I will be pairing with the Minister of Environment in order that she may represent the Yukon at a meeting with the federal Environment minister and provincial and territorial Environment ministers.

Notice of opposition private members' business

Mr. McRobb: Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, November 25, 2009. It is Motion No. 844, standing in the name of the Member for Copperbelt.

Mr. Cardiff: Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, November 25. It is Motion No. 851, standing in the name of the Member for Whitehorse Centre.

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

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

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

The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*, Department of Community Services.

Do members wish 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. 17 — *Second Appropriation Act, 2009-10* — continued

Chair: The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*. We will now continue with general debate on Vote 51, Department of Community Services.

Department of Community Services — *continued*

Hon. Mr. Lang: Yesterday, we reviewed what we previously were talking about in the last day of last week on some of the questions that were asked by the opposition on some of the investments, resources and numbers that weren't available to me the last week of debates.

Community Services continues to invest strategically in community infrastructure that will benefit residents, businesses, First Nations and, of course, municipalities. The Carcross carving centre was officially opened in July in a joint celebration with the Carcross-Tagish First Nation and the Government of Canada. The \$470,000 carving centre is a key component of the \$3.55-million Carcross waterfront development project funded under the Canada strategic infrastructure fund, and an additional \$7,000 is required to complete Carcross waterfront projects.

We continue to invest in the Whitehorse waterfront. Design work has begun on the public wharf, as well as landscaping and construction of a parking lot. A total of \$6.037 million is requested in this budget for these projects.

On October 1, Kwanlin Dun First Nation broke ground for its cultural centre. The Whitehorse Public Library will occupy lease space in the new complex. Once it is completed, the estimated cost is \$22.7 million, with Yukon's commitment of \$7.4 million in support of this project under the CSIF program.

We will contribute up to \$1.6 million toward to the construction of the Kluane First Nation's youth and elders activity centre in Burwash Landing; \$916,000 is needed for this year. In July, Yukon, Canada and the Champagne and Aishihik First Nations announced more than \$14 million in joint MRIF funding for a new Champagne and Aishihik cultural centre in Haines Junction. This project is good news for Yukon and is slated for completion by March 2011. In this budget, we will be seeking approval for \$831,000 to support several delayed municipal and unincorporated community infrastructure projects.

Mr. Speaker, thank you very much and I appreciate the members opposite.

Mr. Cardiff: I'm glad the minister appreciates us over here because we have some questions. On Thursday I just got started asking questions. Yesterday, he didn't really address any of the questions, other than the one about the *Municipal Act* and the enumeration process. I could probably spend the rest of the afternoon debating with the minister what's appro-

priate and what's not, but maybe we'll save that for another time.

I asked the minister last Thursday for statistics about the number of interventions, fines and animals that had been protected under the new *Animal Protection Act*. He told us about the new employee and I'm glad that we have the new animal protection officer. I think that has a welcome addition to Yukon and to our Yukon communities, that someone is out there actually doing some education and enforcement. But I would like to know what the statistics are from the minister.

Also, I have another question for the minister that I'd like to ask. It's an important issue that's been bothering consumers and businesses across this country for many, many years, and it's the issue of credit and debit card fees. I realize we don't necessarily regulate debit and credit card fees, but the minister has the opportunity to influence what happens in Ottawa. Recently, the Minister of Finance put out a press release — ironically, last Thursday — about a new code of conduct for credit and debit cards. It's a code of conduct.

This is something that has raised alarm bells for many, many years with New Democrats listening to what Canadians are saying. It goes back a long way. Nationwide polls this past spring showed that 82 percent of Canadians with credit cards would support tighter rules for the credit industry.

In fact, New Democrats passed a motion in Parliament last April calling on the government to protect consumers from credit card gouging. It called for legislation to end abusive fees and high interest rates, while protecting young people and those who pay their bills on time. A majority of MPs voted in support of that motion by the New Democrats.

The government introduced its own credit card reform and they came up with an unenforceable code of conduct. The government, once again — the Conservative government in Ottawa — has sided with its corporate friends by enacting this code of conduct. The minister does have authority here in the Yukon for other forms of regulation and credit, specifically payday loans.

When you look at the credit card issue, consumers are paying interest rates up to and actually exceeding in some instances 25 percent — debit fees of \$1 to \$3 per transaction. It is not just consumers but businesses as well that find this really challenging because it costs them as well to use debit cards and credit cards as a vehicle for obtaining payment for goods and services. It costs the companies. There is a premium that they have to pay every time they use that vehicle.

I would like to ask the minister whether or not his department and the consumer protection branch has looked into credit cards and the debit card issue and what kind of representation they are prepared to make to Ottawa? As well, what is the government prepared to do about payday loans and the high interest rates that people are forced into paying? What's the government doing to protect, in particular, low-income consumers from being fleeced?

Hon. Mr. Lang: In addressing the member opposite on the credit card charges and whether it's a corporate cost or an individual cost, it is a large cost to the consumers in Canada. I was very pleased to see the government of the day at least

acknowledge that there is an issue out there. Certainly it is a federal issue. We monitor it and we are concerned, like everybody else in Canada, that individuals use their credit cards responsibly and certainly are aware of the high costs of doing business, if you're doing business with a credit card. Certainly businesses are charged a rate to utilize that service and they have questions as well. So the federal government would monitor that, but we do monitor what's happening on that level. I was very pleased to see that at least Ottawa now has acknowledged that there is an issue out there and hopefully, as they move through this, there will be a stronger voice from there.

As far as the payday loans, we are committed to track and look at the other payday loan systems right across Canada — the regulations governing payday loans access across Canada. So we monitor that, I think, on a yearly basis and do the good work inside the department to make sure we minimize the cost to the consumer of that service.

Mr. Cardiff: The fact of the matter is that the federal government may be aware of the issue, but all they've done is create a code of conduct for credit and debit card companies. There are no teeth in it. There is no guarantee that consumers are protected.

Now, Canadian banks — it's a well-known fact. All you have to do is read the newspaper and see what the banks report in quarterly profits. Canadian banks make huge profits. Regardless of which way the economy goes, they are making huge profits. I believe that we need regulations around this area to protect consumers and business people.

It's a tax on our economy. That's what it boils down to. It's money that's going to the banks, but it's not money that's available for consumers to spend or for businesses to reinvest in their business. It's good for the banks, but it's not good for consumers and it's not good for businesses.

Just as an example, in Australia, they have regulations that say there are no charges on transactions that are done by charities. I see the Premier wants to weigh in on this issue. I know this is a federal responsibility and, while we have the Premier here, I'm glad that he's listening. Maybe this is an issue he can bring up with his friend, the Prime Minister, Mr. Harper. Maybe he can give the federal government some advice and send the message that these fees aren't fair to consumers; they aren't fair to businesses, especially in light of the low Bank of Canada rate right now. Consumers and businesses alike are being gouged.

The minister didn't really answer the question, other than to say that it is great that the federal government has recognized that there is an issue. I, too, think it is good that they have recognized there is an issue, but it is unfortunate that they haven't done anything substantial to protect Canadians — both consumers and business people alike. I hope the minister will have something further to say on this matter — maybe the Premier would like to tell us what he is going to tell the Prime Minister the next time he has an opportunity to talk with him about important issues.

I would also like to raise with the minister another issue of consumer protection. Back in January there was a court decision about the inadequacy of disclosure forms that are used for

real estate transactions when selling a home. I am just wondering if the minister's department has looked into this matter and whether or not they are looking at changing those forms for the process in response to the judge's ruling.

Hon. Mr. Lang: Mr. Chair, as far as bank regulations, or the profit picture of our banks, I'd like to put on the floor that at least our banks didn't go broke like they did in the United States. There are regulations in place. There are checks and balances. The member opposite might find that humorous, but the fact is our banking system did not go bankrupt during this very, very crucial time. You only have to look across the border at the United States of America. Over 200 major banks went bankrupt in the United States. Our system was solid and our system got through the dip. To give them merit where merit is due, we have regulations in place, we have checks and balances. In fact, the Americans are looking at our system to improve their system.

We do have a good banking system, Mr. Chair. As far as any activity across Canada, we monitor it all the time. We're always prepared to contribute to any national movement. We do monitor these issues. Whether it's from the federal government or taking directions from other provinces, we do monitor it. I think if we were to look at the third question, which is the decision the court made, I would have to say to the member opposite that we would certainly follow any court order and we would make the improvements or do the changes that the court ordered.

Mr. Cardiff: Well, Mr. Chair, I don't find it at all humorous that banks went bankrupt in the United States. I think the government has an interest in this, to be honest with you. I think the government should weigh in on this issue because it's important and it affects, not just consumers and businesses, but all taxpayers.

Just some facts here from the report that the government did: 94 percent of all credit card transactions in Canada were either MasterCard or VISA. The average interchange rate for VISA in Canada was 1.6 percent of the transaction value versus in Australia which was a maximum of .5 percent — three times. It's three times in Canada what it is in Australia. In 2007, Canadians used about 64.5 million credit cards and made purchases with them totalling \$240 billion.

The annual interest rates — I mentioned this, and I see the Premier is showing more interest in this now — ranged anywhere from about nine percent to almost 29 percent. That was in 2008. The prime rates at a financial institution were about 4.73 percent. In some instances, it's four, five and almost six times what the prime rates at financial institutions were.

Why is this important and why should the government be interested in this? Maybe this is a question we'll ask the Premier when we get into the Department of Finance. I think one of the reasons why we should weigh in on this issue federally and make our position known is because the Yukon government and the Crown corporations use VISA and MasterCard for transactions on a regular basis, especially the Yukon Liquor Corporation. We're using it to make purchases and we're also using it when you go to get your driver's licence, or when you go to the liquor store, or when you go and buy a building per-

mit. The government is being charged a transaction fee by those credit card companies. I believe that it is an important issue.

It's our position that there should be some reduction in overcharging. There should be no hidden fees. We believe that access to your own funds, whether it be through a bank teller or through an ATM — there should be no automated teller fees for institutions regulated under the bank. If you're going to your bank or any bank to remove funds from your account, it's really no different from going to the teller, and there should be no fees.

We believe there should be regulations to limit interest rates and fees for payday loans, tax refund advances and for cheque cashing. There should be a cap on credit cards to a maximum of five percent. I think that depends, to some extent, on what the prime rate is and what the Bank of Canada rate is, obviously, but they should be linked in some way.

I would be interested if the minister can tell us what the cost to taxpayers is for the government's use of MasterCard or VISA for government transactions?

Hon. Mr. Lang: Those kinds of figures would be in Finance; certainly those kinds of questions can be asked when the minister is up.

Mr. Chair, the question about cost is dictated by volume. The more transactions you have as a corporation or as a government or whatever, you can negotiate your specific rate. It isn't written in stone; it's a negotiated figure. The credit card does serve a purpose. The general public obviously accepts it as part and parcel of how they plan their finances and, from a corporate point of view, it's a very necessary part of doing business.

In addressing the member opposite's question on an overview of it, we would work with any national initiative that would address some of the questions the member opposite asked, but it is a federal issue. What I'm saying to the member opposite is this: the Minister of Finance might not have said as much as the member opposite would have liked him to say, but he certainly stood up in front of the microphone and put it on the floor that this thing was going to be something the federal government would deal with.

All the banks — everybody got the message the other day that the national Minister of Finance is monitoring this, and that is not a bad reminder to industry that maybe they should address some of their own issues internally. So I compliment the Minister of Finance; he's doing his good work. If we're requested to go forward on a national level or to get involved in any of the issues the member is talking about, we're open to having the discussion with them, but at this point all we're doing is monitoring.

Mr. Cardiff: The Premier likes to talk about the whole team approach and how ministers have the opportunity for input. What I'm asking the Minister of Community Services to do is ask the Minister of Finance to make representation to the federal government at a first ministers conference, because this is an important issue. The issue about volume shows how little respect and concern they have for small businesses that don't have the luxury of doing large volumes of transactions; there-

fore they end up having to pay. If anything, it should be the other way around. It shouldn't be big businesses getting a deal and small businesses getting fleeced. It should be the other way around.

Whom do we want to really support? Does the minister want to support big business — the few that we have — or does he want to support the multitude of small businesses in this community of the Yukon who operate in smaller volumes? It's great if you're Eaton's or a large corporation like Wal-Mart, which is based out of the United States. They can get volume discounts on their credit card rates, but when you walk down Main Street and look at the individual private owners of small businesses, they don't have the luxury of being able to negotiate those rates.

I want to move on because we have limited time. I'd like to ask the minister a question. Earlier today, the Member for Lake Laberge introduced a petition, and the Member for Porter Creek South introduced a motion regarding the CBC transmitter.

I am not entirely sure that Community Services is the appropriate place to raise this issue, but if they are providing service to communities it is. This is on the issue of the CBC AM transmitter. It relates to other questions that I might have about emergency preparedness, because the CBC AM signal is like a lifeline to people who live outside of communities in the Yukon, who live out in the bush, or in some of the more remote communities. I am just wondering whether or not the Department of Community Services is working with CBC and other agencies to ensure the continuation of the CBC AM signal, whether it be from the transmitter here in Whitehorse or from another transmitter, and what kind of assistance this government is prepared to either solicit from the federal government or provide from our own budget in order to ensure the continuation of this signal from a safety perspective — for the safety of Yukoners.

Hon. Mr. Lang: Going back to the question about credit cards, I remind the member opposite that all businesses that have access to, or work with credit cards, have the right to go in and negotiate a rate. They all have that access, and they can do the good work it takes to run their business. It's a cost to all businesses to have access to a credit card system.

But as far as the CBC is concerned, what this government has done is to agree to extend the lease by three years. So they have a lease extension of three years, as they work out their internal issues.

Mr. Cardiff: We all know they extended the lease for another three years, and that's good — for three years. But what we're talking about is down the road. What's going to happen after three years? Is the minister going to sit in his office and do nothing, and then are we going to deal with it in three years when it becomes a crisis? Or, are we going to work over the next three years to find a permanent solution to this problem?

Hon. Mr. Lang: The exhibition was requested by CBC and the extension we gave them. I would remind the member opposite that CBC is independent of government and they are working on their internal issues. We will monitor, as

they move forward over the next 36 months. We were requested by CBC; they didn't ask for any more than an extension on where they have their tower. We agreed with the City of Whitehorse, working in conjunction with the City of Whitehorse, that they could have a three-year extension. They were fairly happy with that and they went away to do their good work.

Again, CBC is a Crown corporation that makes its own decisions internally. We'll consider any request that CBC brings forward. As far as the tower is concerned, it has a three-year extension at the moment, agreed to by the City of Whitehorse — our partner in that new subdivision — and ourselves. CBC was happy with that and we look forward to an update as they move forward with their internal issues.

Mr. Cardiff: The minister doesn't understand the question, obviously. I was trying to put it in an emergency-preparedness, or emergency-response type of context.

I'm sure the minister has read letters in the newspaper and has heard from his constituents and the constituents in rural Yukon about the importance of this signal. I'm glad the government — I think it made sense to extend the lease, because when I met with the City, I found out that area isn't actually going to be slated for development. The area where the transmitter sits currently isn't actually slated for residential development — for actual work taking place, the infrastructure going in for the subdivision — probably until 2014 or 2015. Three years even leaves some leeway.

What I'm asking the minister is, is the Department of Community Services asking the Canadian Broadcasting Corporation to continue the signal so that Yukoners can continue to receive the same level of service and have the same kind of safety net when it comes to an emergency or finding out what's going on in Whitehorse or Watson Lake or in their community — receive local information and important information with regard to weather, so that they can plan their activities and keep their person safe when they're prospecting or out on the trapline or running a wilderness tourism operation — when they're out there in the bush, that they can receive those reports and operate their business and make their plans safely and according to good information?

I'm asking the minister whether or not the Department of Community Services is asking CBC, not what CBC asked the department or the government to do. I'm asking if the government is making representation to the CBC about continuing the service that Yukoners are accustomed to and that they need for their safety. That's the question I'm asking the minister.

Hon. Mr. Lang: That's exactly what we did when CBC requested an extension. We worked with the City of Whitehorse — CBC is putting an FM system in place and they came to us as government and the City of Whitehorse.

I have had explained to me, Mr. Chair, that certainly the tower where it is at is important. Also, what affects the tower is important, so it is not a matter of building houses on the site; it is a matter of what is going on around the tower that can affect the tower. They came to us — the City of Whitehorse — we contacted them and worked out this 36-month deal with the Crown corporation. They run the Crown corporation, Mr.

Chair. The Government of Yukon does not run or finance that corporation. They tell me, Mr. Chair, this modern FM system that they are going to put in place to replace the AM is just as good, will reach just as far and the member opposite shakes his head but that is what CBC has informed us. We did give them the three-year extension and we certainly will work with CBC.

Mr. Cardiff: The minister obviously still doesn't understand the question. The information that we've been presented — number one, there are two things. An FM signal is line of sight. It may increase the broadcast area in Whitehorse, but there will still be blank spots where people will not receive the signal because they're behind a mountain or a hill and they won't necessarily receive the signal. I understand they're talking about rebroadcasts up on Haeckel Hill and possibly one other rebroadcast location to cover off this area. What we're talking about is a powerful signal, an AM signal, that isn't line of sight, so it doesn't get blocked by mountains, and is received in remote locations in the Yukon.

I'm not asking the minister to direct the corporation, because I know that's not appropriate. It's not about the corporation asking the government to do something; it's about the government asking — not directing — the corporation to reconsider its plans to do away with the AM signal, which provides a service that this government can actually make use of. The minister looks at his watch and thinks I'm wasting his time. I'm sure there are a lot of Yukoners who are listening in today who don't think this is a waste of time and who take this very seriously.

They're the people who are out there running wilderness tourism operations or living in remote locations, and who are trapping or prospecting and rely on this signal for weather information or, if there is an emergency or power outage, it affects all Yukoners and we seem to have enough power outages in the Yukon. So it should be of concern to the minister that if there is a power outage, we can get information out to Yukoners on their battery-operated AM radios, regardless of where they are. If they're behind a mountain and can't get the FM signal, they'll get the AM signal. Emergency Measures Organization can ask the CBC to broadcast that signal to all Yukoners, so that everybody has the information they need in order to respond appropriately to whatever the situation is. So it's about the government asking CBC to continue a service that has been here for many, many years.

It's not about the government responding to requests from the corporation; it's about the government asking the CBC to do something.

Now the government didn't intervene in the CRTC process when CBC decided that it wanted to discontinue it. But it can certainly intervene at this point and ask them to please continue it.

Hon. Mr. Lang: I guess my answer to the member opposite hasn't been adequate. We have given a three-year extension. We have worked with CBC. Maybe some of these questions should have been asked of CRTC when the hearings were on. Obviously there wasn't enough participation because they made a decision with CBC on what was going to happen to AM in the Yukon.

We gave a commitment on the life of the tower for three more years and, from that, we got a commitment from CBC to continue their service; that's what we got. I'm the Minister of Community Services; we did our work. In three years, if in fact CBC comes back, there probably will be more discussions on this. But as they go and do their work internally, we have given the three-year extension, put it in place and they have to do their work now to run their own corporation — it's a Crown corporation, and it works out of Ottawa.

We certainly are concerned about people who live in the bush and access to information, access to emergency communication, and we will monitor it over the next three years, but CBC is operating today with the tower, as they'll be doing three years hence.

Mr. Cardiff: I'm not going to pursue this all day, obviously. The minister and the government didn't have any concerns or they would have intervened in the CRTC process. Obviously the minister doesn't think it's important that three years hence there won't be an AM signal, possibly. When the AM signal is gone it will be too bad, so sad, for those Yukoners — and I agree it will be sad. It'll be unfortunate if people are put at risk because they don't have access to information in an emergency situation.

I'm going to move on — I'd like to ask the minister another question. Recently the Workers' Compensation Health and Safety Board came up with a code of conduct for young workers. I'm pleased to see there is a code of conduct there. I hope it's effective; I hope employers will adhere to that or to a higher level or standard. I'd like to ask the minister — the minister is responsible for the employment standards branch in Community Services. I'd like to know what the minister's department is doing to implement some of the recommendations that affect his department, specifically the employment standards branch, from the report that was done on young worker protection that came out of Motion No. 542 from the Member for Klondike.

I would specifically like to know what plans the government — or if the minister has given any direction to the employment standards branch to come up with regulations in the *Employment Standards Act* about age restrictions specific to industry and about time frames and supervision of employees dependent on their age so we don't have young workers who are working graveyard shifts, for instance, or working until midnight and then having to get up and go to school in the morning.

Can the minister tell us where we are at on those recommendations from that report?

Hon. Mr. Lang: For the member opposite, as we all understand, it was a territorial consultation. It was a joint consultation with the Employment Standards Board and the Workers' Compensation Health and Safety Board. Workers' Compensation Health and Safety Board has taken the lead on it and certainly will be activating the recommendations that came out of that. I would have to get the timelines back to you on that. I don't have them available right now but I would get the timelines back to the member opposite.

Mr. Cardiff: I appreciate the minister getting back to me on the timelines on this because this is a very serious and important issue.

Quite frankly, Workers' Compensation Health and Safety Board does some good work and I think that the consultation was an important piece of a work. The fact that it was done in partnership with the minister's department and the board was good. It's the minister's department — the labour services branch — that has the responsibility for making regulations pursuant to the *Employment Standards Act* that would regulate these issues. I'm not sure why they've handed off the lead on that to the board to write regulations for the *Employment Standards Act* and why that work isn't being done in-house in the employment standards branch. Can the minister maybe tell us if there have been some cutbacks at the employment standards branch or if we just don't have the resources dedicated that are necessary there?

Hon. Mr. Lang: There certainly haven't been cutbacks in the Employment Standards Board because it's a very important board for the territory, and we certainly fund it appropriately.

The reason we went out jointly is that the Workers' Compensation Health and Safety Board is more capable of monitoring this kind of issue than we are as the Employment Standards Board. Regulations do fall under the Employment Standards Board, but it was a natural fit for the Workers' Compensation Health and Safety Board to take it and do the good work they're doing. As I said to the member opposite, I will talk to my colleague to get the information for him on where we're at and how it will unfold so that we can get a timeline for him.

Mr. Cardiff: It was one year ago that we debated the *Young Worker Protection Act*. We got the consultation done and we've got a code of conduct, but I would have hoped actually that we would have had moved farther, faster on this important file. While the minister is going to get me the timelines about how long it's going to take to come up with regulations in this area, young people are at risk, both of being injured and/or losing their life, depending on the industry.

I hope the minister takes this a little more seriously than just going back and getting information about the timelines. I would like him to go back and give some direction, not ask what the timelines are but dictate what the timelines are, tell them he wants it soon. Last week wouldn't have been soon enough, quite frankly. I hope the minister takes that a little more seriously.

I have one other question about employment standards. I'm wondering about the work of the employment standards branch and types of enforcement. There were some notes we obtained through access to information in the briefing books that talk about an increase — that the department and branch were looking at increased compliance with the *Employment Standards Act*, with a focus on a couple of areas.

I'm wondering if the minister can tell us what those areas of concern are, what the problems are and what the department's intentions are when it comes to the enforcement of the act.

Hon. Mr. Lang: In addressing the member opposite on the Employment Standards Board's decisions and Workers' Compensation Health and Safety Board — the joint group that went out to look at the issues a year ago — the territorial consultation brought up many, many questions. There was a lot of dialogue on issues and there wasn't an agreement on a lot of the issues on age and appropriate workplaces. It's not an easy piece of work to do. I appreciate the fact that we did go out for the consultation and we did the hard work. We certainly met individuals that had very set ideals on how and when their family members should be working, what age group and the size of the child. All of these things were addressed. As I agreed to do for the member opposite, I will get a timeline to him and see where we're at. We'll get that over to him so that he will know exactly as we move forward with this important decision.

This is a note from my colleague. The *Employment Standards Act* governs things, obviously, like the terms and conditions of employment, conducts industry audits and the board exists as an administrative tribunal. So they do have a responsibility in that range. They do their work and the audits that they move out to do — they do labour standards audits. Here are some statistics. They fielded 376 enquiries and complaints on a variety of employment standards, facilitated presentations and consultations on employment-related subjects to over 100 clients, issued 12 certificates to collect unpaid wages, collected \$187,771 in unpaid wages on behalf of employees — this amount represented an 80-percent collection rate for the year. So they had a very successful collection.

Also, there will be increased compliance in the employment centre with a focus this year on Yukon outfitters and identifying Yukon grocery retailers. In other words, we did audits on them. We developed a strategy and communication plan to promote good labour practices and finalize development of the student/parent guide to work, so we have been doing a lot of work over the last year.

Mr. Cardiff: I'm only going to go back to this one more time, because I think it is important. I thank the minister for the statistics about the employment standards branch and what it is they're doing. We do value their work. It's important — as we were talking about earlier today — that working conditions are humane and fair; that people receive the remuneration and the benefits that are due them and they have safe and healthy working conditions. I'm going to refer the minister to the consultation report on page 38. At the bottom of the page under the conclusions, it says, "A large majority of both employers and parents feel there should be minimum working ages for certain occupations and workplaces, especially those that are perceived as having more risks and dangers. The recommended minimum working ages ranged from an average of 14 for jobs in the retail and food services industries to an average of 18 for jobs on drilling or service rigs, in sawmills and for working in confined spaces."

So these are regulations that need to be made pursuant to the *Employment Standards Act*. What I'm saying to the minister is that I don't think the minister should be asking for the timeline. I think the minister should be saying, "These are the timelines that are acceptable when it comes to the protection of

our young people in workplaces.” I certainly hope that he will do that.

I know the Member for Klondike brought forward a motion the other day to create a select committee on the safe use of off-road vehicles.

I look forward to hearing the many views of Yukoners on the safe use of off-road vehicles, but what I’d like to know is what the government’s position is and whether or not it has changed at all, because certainly the government’s position prior — I know last spring — was that there was no need for mandatory helmet laws for ATVs and snow machines. I’m just wondering whether or not the government’s position has changed on that. While we’re in the motor vehicles branch area, could the minister give us an update on drivers’ licences in the Yukon and improving the drivers’ licences here in the Yukon?

Hon. Mr. Lang: That first question on the off-road vehicles is a Department of Highways and Public Works issue, but I will address it here this afternoon. We’ve had some input. The chief medical officer is on record saying that we had to do something about the helmet issue on ATVs so that we’re not guessing what Yukoners want. That’s why the Member for Klondike put the motion on the floor — that we go out to talk to Yukoners, but there is a concern from the medical officers in the territory that this helmet issue is a question. It’s timely to get the discussion going. I look forward to the public consultation, which will involve all Yukoners and hopefully by next year we will have those public consultations done and we can make some decisions.

Mr. Cardiff: It is interesting, because the medical health officer was weighing in on this issue much earlier than just recently. He was weighing in on it last spring and so were several other experts in the field. I am glad that the government has taken this issue seriously. I hope we don’t wait too long to make these changes. It is like young worker protection. It is something that we can’t afford to give our time to while people are at risk.

I would like to ask the minister some questions related to the motion I tabled in the Legislature recently, and a letter that I sent to him as well as to the Liberal critic for Community Services about the Canadian Association of Fire Chiefs’ tax proposals to the Minister of Finance. The federal government is going to do what it does, but it’s about the representation that we can make as a subnational government, I guess — as a jurisdiction in Canada — to try to make change that positively affects our communities. So what I was proposing and what the Canadian Association of Fire Chiefs was proposing was a \$3,000 tax deduction for volunteer firefighters, if they volunteer for 200 hours or more per year, as well as a \$500 tax credit for employers who employ volunteer firefighters or officers, to show our support for those employers who allow those people the flexibility to make our communities safe and be first responders in our communities.

So my question for the minister is this: does he support this initiative, and will he also be sending a letter of support to the Canadian Association of Fire Chiefs?

Hon. Mr. Lang: We do support that and we are going to be sending a letter of communication to support the request, and we look forward to a timely answer on the issue.

Mr. Cardiff: There is another issue that has become important and that is the issue of retention and recruitment of volunteers for emergency medical services and fire. Volunteer emergency medical services and fire departments — not just in the Yukon but across Canada — especially in rural Canada — are important in making our communities safe, and they are indeed the lifeblood of rural Canada. In these professions, we’ve heard of incidences of post traumatic stress disorder, but I think it goes so far as a lot of these people are doing this on top of what they do for their daily work, and they experience burnout and these organizations are having difficulty finding new members.

There are also new burdens being placed upon these volunteer agencies — responsibilities around training. We want to ensure they’re trained adequately so that they can live up to the occupational health and safety requirements but there is also reporting required — lots of paperwork. I know I’ve raised this issue with the minister before and with the previous minister about the concept of having some form of support provided by the department for volunteer fire departments to take some of that administrative load off of the volunteers. That comes into what I’m hoping I’ll hear the minister say, because the question is, I’d like to know what the government’s plan is — short-term initiatives and a long-term vision — to aid these volunteer agencies to address those issues of burnout and recruitment so that our volunteer fire departments and volunteer emergency medical services continue to be viable.

Hon. Mr. Lang: I thank the member opposite for the question. We certainly take our volunteer emergency medical services very seriously in the territory.

We have funded it and worked with volunteers — whether we’re working with the municipalities or First Nations to enhance the volunteer recruitment and retention. We are concerned about the paperwork that’s now involved. I’ve charged the department to come back to me to see how we can mitigate that — not get rid of it, but mitigate it and make sure that when people volunteer to work with us in EMS that they do what they volunteered to do, which is either on fire or ambulance.

We are working through these issues and these are a modernization of our services, but as a government or as Yukoners, we do not want to impede the volunteers in any way with the paperwork, if there’s an alternative route to go.

We are working our way through that; we are conscious of it. We are aware of the burnout issue as well as the recruitment issue and the training issue. We have 17 volunteer fire departments in the territory. The new honoraria for firefighters and fire chiefs — we’re working to implement the new supervisory administrative monetary increase, so there had been an increase of compensation.

Of course, we have completed the construction and opening of a new fire hall in Golden Horn that was badly needed. In addressing the member opposite, Mr. Chair, we are working together with our volunteers, with our communities, with our municipalities and the unincorporated communities to enhance

the recruitment and maintenance of our crews. We do have a very, very solid, well-trained volunteer component in all our communities, whether it is ambulance or fire or community clubs — all these services that happen in our communities. Like the member mentioned, we would like to mitigate some of the issues they have around paperwork and how it is done. We do have to do the paperwork. The administration is very, very important. We as a government and a department are working with those volunteers to see what we can do to be of assistance to make sure that it doesn't become overwhelming for the volunteers.

Mr. Cardiff: I would just like to ask the minister if there is any planning being done. I was pleased to be in attendance at the opening of the Golden Horn fire hall. It is a much-needed improvement. It makes that community much safer. It certainly contributes to the safety of the volunteers who work there and have to move around those vehicles. It creates the needed space to do that safely and get the vehicles out on the road in a safe manner. I'm pleased with that.

I'm just wondering if the minister can tell us if there are any plans for upgrading other volunteer fire halls in the Yukon in the near future.

Hon. Mr. Lang: In addressing another issue, a very important component to this volunteer EMS and ambulance, is certainly going to be our new centre in Whitehorse, which is going to be located at the top of Two Mile Hill. That will have a training centre in it that will be utilized for all community volunteers to come in and do the training they need to maintain their level of competency in the EMS corner.

As far as new fire halls, I would say to the member opposite that we do audits every year. We will be bringing recommendations back to the mains in the spring and that's when things like that would be announced.

Mr. Cardiff: I was hoping the minister could give us a little bit more information about what's being assessed, whether there are plans to upgrade or replace any other facilities in rural Yukon or upgrade the equipment.

I'd like to ask the minister another question with regard to emergency protective services and emergency preparedness. I think the Emergency Measures Organization does a lot of good work and a lot of planning, and I'm well aware of the work that they do there. I think that we should be thankful that we have those people there to do that.

The Auditor General recently looked at the federal Department of Public Safety and said that they didn't have the leadership necessary to coordinate emergency management activities. She was talking about a variety of things, whether they are terrorist threats, floods or pandemics. I think we can all say that we've been pleased with the response here in the Yukon to the H1N1 threat and that the government and the people associated with that have done a good job in having those vaccinations available. I'm just wondering, from the department's perspective, how we're auditing our preparedness for emergencies, if there is reporting that is done and whether or not that would be available.

While we're on that subject — I brought up flooding — I'm going to give the minister another question so that he can

answer two questions at once. There was a report done in response to the flooding at Marsh Lake and Tagish as well as at Upper Liard.

What are the long-term mitigation plans for dealing with those flood-prone regions in the Yukon? That's Marsh Lake, Tagish, Carcross has also experienced flooding, as well as Upper Liard — whether or not there are any long-term responses. There were some recommendations made in the report. In which direction is the government headed?

Hon. Mr. Lang: We have a Yukon government emergency coordination plan in place, publicly available on the Internet. In that, it sets out the review timelines, so that addresses the first question.

As far as what we're doing to mitigate the Upper Liard issue, we did an extensive program with dykes last year, engineered to mitigate the threat of floods in that situation. We spent the resources we needed to bring that up to a better height than it was before. In Marsh Lake and Tagish, we're working with the community and also with the individuals. They have been working at mitigating their property lines at Marsh Lake in the Army Beach area, and that's being done.

As far as our position on that, we have been working with the community on issues on roads and other recommendations we got out of the plan to mitigate any future floods and how we would manage the water and other issues like that.

Mr. Cardiff: I understand the minister's response around the review process when it comes to emergency preparedness. I am just wondering, is the department itself auditing emergency responses? Is it an internal review? Is it an external review? Is it a combination? I understand that some of that information is on the website. Are the recommendations and responses available on the website as well, or can the minister provide that information to us in writing?

Hon. Mr. Lang: We do internal audits. We haven't completed the audit from the last year, but it's an internal government audit on the preparedness question.

Mr. Cardiff: If the minister has that information available, it would be refreshing to see that internal audit information and what the department's response was to any recommendations. So if he could make that available, it would be greatly appreciated.

When it came to the discussion about flood mitigation, the structure and the work that was done at Upper Liard — is it a permanent structure? The minister talked about working with the community at Army Beach in Marsh Lake. There are also other areas that were affected by the floods, notably down around — well, in Tagish, I know there were businesses and homes that were affected.

There were areas — I believe in the South M'Clintock subdivision and Old Constabulary Beach areas, as well as at Carcross. I'm sure there were probably other areas that I didn't see that were affected as well — I'm just wondering, the minister said they're working with property owners. The report that I saw had some pretty elaborate plans for I guess what I would call "foreshore protection" in certain areas of specifically Army Beach, but there are other areas — like I said — back down the lake in the Old Constabulary Beach area and in the South

M'Clintock subdivision area, where they were in need during the flooding in previous years of foreshore protection — as well as at Tagish and Carcross and other areas.

I'm just wondering what the department or the government's intentions are in providing assistance in this area in the form of actual infrastructure. Or are they going to rely on individual property owners to do that work?

Hon. Mr. Lang: Certainly in the Army Beach area, we're dealing with private property so it has to be a partnership between us and landowners. There are people there who want the dyke system; some don't. I guess that's a personal decision on their part. We certainly work with whomever needs the assistance. We've done engineering; we work with the community. As 2007 showed us, the community rallied when we had the flood of 2007, which was a huge burden, not only on this government, but on the residents of Marsh Lake, Tagish and other communities.

Last year — the Upper Liard situation has been mitigated. The dyke has been improved, it has been expanded upon and it is permanent. The dyke has been there for years; it has been enhanced and certainly extended toward the bridge.

We did some culvert work in Upper Liard to make sure the water would move in an appropriate way so it didn't back up and come back around the back. Those things were addressed. Rock Creek was an issue this year. It was a flooding issue but it was brought on by the break-up of the ice, like in Eagle, Alaska — it was the same issue. We had to address that and we had to address the homeowners there. We have done that. Henderson's Corner suffered extensive flood damage — so that was another area in the territory that had some flood damage.

The federal government has assisted in these kinds of investments too.

We also provide search and rescue assistance and, in one case, it led to the successful rescue of a two-year-old boy lost near Ross River. The individuals who work in our community certainly do a stellar job.

We produced the Yukon government pandemic coordinated plan to facilitate preparedness, decision-making and actions in response to a serious health pandemic in the Yukon. I was having a discussion with one of the coordinators of the H1N1 pandemic plan here in the territory. He was on a conference call across Canada on how well other jurisdictions were doing. Our jurisdiction was held up as one of the stellar jurisdictions that was making sure that this pandemic was addressed and people got their inoculations and did whatever it took to mitigate this issue here in the territory.

We've also concentrated on delivering specialized training courses to Search and Rescue volunteers. So we do that. We secured two years of funding to provide basic S and R courses in communities and develop a training program to deliver the courses, provide introduction to the Incident Command System and basic emergency management training to all our Yukon territorial government staff.

So Community Services does a lot of work and, in some cases, this work is done behind the scenes, but they are certainly on the ground, and I would like to thank all the people in all our communities who work for Community Services and

also our volunteers. We can't forget about our volunteers. They do a stellar job with respect to keeping our communities safe and livable.

Mr. Cardiff: I thank the minister for that information. He indicated that the government was working with individuals. I understand that there are people in some of those areas who want foreshore protection and some who don't.

I understand the government is working with residents in the Army Beach area. Is the government willing to work with individual residents in other areas of the Southern Lakes who were affected by the flooding of 2007? I think we all saw first-hand and participated in some of the actions that were taken out there. It certainly was an incredible response by government and community in dealing with a very pressing situation. We don't want to see that happen again, but I think the government needs to work with all individuals — not just individuals in certain areas. Can the minister tell us if they're willing to work with the people of Tagish or other communities on foreshore protection and mitigation of flooding? It would be much appreciated.

I'd like to ask the minister how we're doing — he mentioned the other day the domestic well program. While I recognize they have done the work, there hasn't been an uptake by municipalities. I find it unfortunate that the program isn't available to rural residents who need access to the program but live inside municipalities. I am just wondering what the plan is for the future. How long is the government committed to assisting rural Yukoners with these loans? I don't know if he has any statistics with him — if not he can provide them at a future date — regarding the uptake on the domestic well program.

Hon. Mr. Lang: The rural domestic water well program is available to municipalities; they just have to buy into it and that is a decision the municipalities would make independent of us. We have talked to them and so it is available and it is just a decision they have to make on their level.

As far as the timelines on the domestic well program — there is no timeline. We don't visualize the opportunity being shut down in any way. It's an ongoing tool that we're going to use to enhance safe water in our rural areas and it has been very successful. We've had 82 projects completed up until now and 20 well projects are in progress this year. The average well costs \$22,000. That's an average. We have 82 projects out there that are already done and 20 well projects are in progress this year. It is very successful and Yukoners haven't taken advantage of this tool to enhance their access to potable water.

Mr. Cardiff: The minister didn't answer the question about working with other communities or other residents other than those at Army Beach with regard to foreshore protection or flood mitigation. I look forward to him answering that. While we're still at Marsh Lake, I have a couple of other questions. We may end up jumping around.

I understand the construction of the Marsh Lake water treatment facility at Army Beach has been put off until spring. I am just wondering if he can update us on the reasons for that and what the planned date of completion is for that project. Has there been any further discussion about a new fire hall for that area in relation to that?

I will leave it at that. I have one other question in that area but I will save it for a little later.

Hon. Mr. Lang: In addressing the member opposite about working with other communities on flood issues or issues that they have pertaining to the residents and also the safety factor, we certainly work with all communities. We were at Rock Creek this year, we were at Henderson's Corner and we were at Upper Liard. We work with the individuals at Marsh Lake. In Tagish, Forestry and EMO are working on a program there. It is a go-forward plan and would work with any individuals who finds themselves in a position where they need our assistance or expertise to solve some of their issues.

As far as the well at Marsh Lake, I am told the contract has been let for the pump house and that is proceeding and hopefully would be done by — it's on time and on budget, but it's going to be done this summer. As far as fire halls, new fire stations or whatever, those would be decisions we would make down the road as we come into the mains for the spring budget.

Mr. Cardiff: This may seem a little bit like jumping around here, but I'm going to ask this question now. I asked this question last year of the minister and I would like an update on what's happening. Residents of Marsh Lake, and indeed, the local advisory council with whom the minister has a relationship, have complained that land disposition in the area was ad hoc and ignored community values, preserving wilderness corridors, et cetera. The government promised action on a land planning process. I'm just wondering if the minister can give us an update on what the status of that is and when an actual public land planning process for the Marsh Lake local area will begin.

Hon. Mr. Lang: Again, I'll address that, but that is a land issue in Energy, Mines and Resources. I can tell the member opposite that we are working with Carcross-Tagish and Kwanlin Dun on just exactly what the member asked. We have the team together, and we're moving forward with that plan.

Mr. Cardiff: Mr. Chair, I understand that the land planning process is in the Department of Energy, Mines and Resources and that the government has consolidated all of the land-related departments into Energy, Mines and Resources. Whether that's a good thing or a bad thing, we're not sure yet, but that's the way it is.

The Minister of Community Services' relationship is with the community, through Community Affairs, with the local advisory council.

What the minister is telling me is that they've come together with the First Nations and established a process, but that process needs to include — I don't disagree — the Carcross-Tagish First Nation or the Kwanlin Dun, because it most certainly does. I'm glad that they're there and prepared to come to the table to discuss these issues. They have a vested interest in this as well, but the minister has to realize that he also has to involve the local advisory council and members of the community there who have expressed this concern about how land dispositions have been done.

Can he assure us that, through his department, the local advisory council and the community will be advised about the process and when it will begin?

Hon. Mr. Lang: This is in Energy, Mines and Resources, but I'll address it here. The planning study area has been identified — local area planning process is set out in the self-government agreements. We have the Kwanlin Dun and the Carcross-Tagish First Nation participating and we're working closely with the local advisory group. There will be a public call for nominations this winter. By the spring we will have the group put together to move forward with the land plan.

Mr. Cardiff: I know the frustrations communities feel when it comes to establishing these processes. I know that the community of Mount Lorne is looking forward to doing a review of their land plan as well — it is something they have been asking for, for awhile.

I would like to ask the minister a couple of other questions — one related to the recent announcement of a new Whitehorse public library. I look forward to the new space in the Kwanlin Dun cultural centre. I am sure that it is going to be very nice and it is probably going to be a little more —

Hopefully, people will be able to sit back and read a book or peruse the shelves and look out at the river and have a beautiful view. They made this commitment and I'd like to know if they have a plan for the old library space. There have been some suggestions. I'd like to know what the process is going to be for deciding what happens with the old library space. There have been some suggestions that it could be used for childcare spaces for Yukon government employees or perhaps it could be a legislative library. I'm just wondering whether any decisions have been made and whether or not there will be a public process.

Hon. Mr. Lang: Public Works would be the department that's involved in that. We have just signed the agreement with the Kwanlin Dun on the space in their new cultural centre. We haven't made any decisions on what would happen to the old library.

Mr. Cardiff: Thank you, Mr. Chair. I'm wondering whether or not there was an issue in Teslin with the library last year. How are things going with the new facility in Teslin? Is the space adequate for that community? Is this a permanent move or is the government looking at a new permanent space?

Hon. Mr. Lang: The new space is a massive improvement on the last library we had in Teslin. In addressing the issue of whether or not it's a permanent library, at this point it is a library and, as far as myself as Minister of Community Services, I would consider it permanent. There are no plans to build a new library in Teslin. That doesn't mean that, down the road, there won't be a new library in Teslin but, at the moment, it's in a new location; it's adequate; the community uses it and it's an improvement over the old facility.

Mr. Cardiff: One more question about libraries.

It's our understanding that there was a review of the library system and services, including things like fees or fines. There was also some space planning being done for the communities of Carcross, Burwash Landing, Beaver Creek, and Tagish, and I'm just wondering what progress has been made on those priorities.

Hon. Mr. Lang: We modernize our libraries and services on a yearly basis. We enhance public access to resources

through the AskAway virtual reference service, on-line team reading club, electronic database subscriptions and related web-based services, and an automatic library circulation system in six communities to improve processes that get books to patrons — for example, check-outs overdue and hold books; supporting literacy and literature-related activities, including Family Literacy Day, Dolly Parton's Imagination Library, children's reading programs, Yukon Writers Festival, Yukon Library Week and reading series featuring local writers.

The replacement space in Teslin — as I said in the last answer I gave — we are undertaking a library space planning for Carcross, Burwash Landing, Beaver Creek and Tagish. We have ongoing audits of our facilities. We are working with KDFN toward the new Whitehorse public library. We are continuing computer initiatives by automating circulation systems, supporting literacy. Mr. Chair, the library is obviously doing a stellar job for Yukoners and there is no end to the modernization or the commitment of this government to make sure that our libraries are accessible to all Yukoners and that we have a modern facility for Yukoners. Hopefully, the space planning people will get back to us here on Carcross, Burwash Landing, Beaver Creek and Tagish so we can have a go-forward plan on what we should invest over the next period of time to modernize these facilities, as we did in Teslin.

Mr. Cardiff: That is why I asked what progress had been made and how long before we expected to actually be able to do some planning. They were studying it, I guess, but I'd like to know when those studies will be complete and we'll actually see what the outcomes of the studies were and what the plans are.

I'd like to move on to another important aspect of Community Services. I'd like to take the opportunity to thank all the people who went to communities and participated — the officials and the consultants who went to communities and talked to those communities, and the development — it was around the Building Canada fund discussions, but it was a consultation about solid waste, as well. I'd like to thank the officials and the consultants. I'd like to thank all the Yukoners who came out and made their views known about the needs of their community and how they felt this important issue should be dealt with.

I'm pleased to see an action plan. It took a long time. We're glad that it's finally here. I think that we owe a debt of gratitude to all those who participated, and I'm happy to see that the burning of waste will eventually be phased out by 2012. I think that it could have happened quicker; I think that it should happen quicker, but it is what it is.

I have some questions about the action plan. The action plan talks about a solid waste advisory committee. I'd like to know what the composition of the committee is going to be, when it will hold its first meeting and what type of powers it will have — will it just be a recommendation body to the minister, to make recommendations to the department and the minister? Will it actually have some decision-making authority, or how will that transpire?

Hon. Mr. Lang: Going back to our libraries, the library in Carcross — the structure itself has some issues. It's time-expired in lots of respects and I would look forward to

making improvements to that library, whether it would be building a new community gathering area or community club there and the library would be part of that, but those are all ongoing discussions. Carcross certainly uses their library, and a modern facility would be a great improvement for that community.

We're working actively with the locals there on a go-forward plan on how we can address their community gathering place — their community club — and in turn, maybe look at adding another component to it which would be a modern library. That is in the discussion stages with the community at the moment. That's one of the libraries that the member opposite was concerned about.

The committee will be established to assist — this is the solid-waste action plan issue — in the successful implementation of this solid-waste action plan. We all understand, Mr. Chair, Yukoners' concerns about our solid waste and how we manage it. This committee will be put together to do recommendations and work with us as a government. We don't have the guidelines set down yet. We're looking forward to implementing this plan. It's very important for us in the new year when we get a little bit of time to put together this committee that will give us the overview and the input that they can as residents of Yukon on how we implement this solid-waste action plan.

We're looking forward to forming the committee and getting the guidelines put around it so in the spring when I'm here we can hopefully address the issue of the numbers and exactly what they're going to be doing.

We are looking forward to that kind of input. It will be Yukoners sitting there and they will be advising us on issues that pertain to this action plan and how we're going to move forward in the solid-waste management in the territory.

Mr. Cardiff: I look forward to that. I hope that there is a public process and a solicitation in communities for interested people who have some knowledge in this area and how want to participate on the solid waste advisory committee.

I noticed that when I attended the Premier's meetings in Marsh Lake, Mount Lorne and Carcross there was a little bit of confusion about what type of equipment was being purchased to convert the solid-waste facilities in Carcross and Tagish to transfer stations and to cease the burning there. I don't see any money in this supplementary budget.

It's my understanding that there was going to be some capital costs in development, and that work has actually taken place. I'm just wondering where the money is in the budget for the site work and the purchase of the equipment the minister said was ordered — the bins — to turn these into transfer stations. I don't see that money here in this supplementary budget. Can we anticipate it in the spring supplementary budget?

Hon. Mr. Lang: Understanding that we made this commitment, there was a \$500,000 figure put in the mains to address some of the expenditures that will happen as we move Carcross and these other areas to transfer stations. That's where the resources to buy some of the equipment is coming from.

Mr. Cardiff: It's too bad the minister didn't share those plans with us in the spring. He certainly wasn't forthcom-

ing last spring about his plans to turn Carcross and Tagish into transfer stations. I have a couple other questions about the solid-waste action plan.

I'm just wondering what types of new technology the department might be considering in dealing with the solid-waste issue, whether or not they are looking at forms of incineration. I feel that there are some concerns out there with regard to health impacts on some types of incineration that are used. I'd like to know whether or not there will be a community consultation before any controversial new technology is introduced into those communities — that this won't be a decision that's made in the department without talking to the community. With regard to site management — I know this is something that I've brought up in the Legislature before when it comes to things like transfer stations — I'm just wondering how many jobs the department anticipates this solid-waste action plan is going to create. I'll leave it at that. I have one other question for the minister with regard to solid waste, but I'll save it until he has answered these.

Hon. Mr. Lang: As far as employment, we have contractors managing Deep Creek, Carcross and Tagish at the moment and I'm not privy to how many jobs that means on those sites, so I don't have those figures. But we certainly look forward to putting this advisory group together so we can work with them and Yukoners to do recommendations.

Of course, in the solid-waste action plan, number 7 is "Exploring New Technologies in Waste to Energy for a Northern Climate". "Technology is advancing in the waste to energy field and adopting this technology may become a strategy worth pursuing. Engaging with private sector companies with expertise in this area will be the first step to investigating the value of waste to energy technologies in Yukon."

So what we are doing is putting this feeler out. We certainly would work with the advisory group on issues like this. But, as it says here, the technology is modernizing by the year on how people manage solid waste. And it is an interesting science because there is a lot of modern technology out there that we could certainly utilize in the north.

But as far as public consultation and recommendations are concerned, we work with Yukoners on whatever we do in managing their solid waste because, again, it would be something that would impact every community in the territory.

Mr. Cardiff: The minister made an interesting comment about the technology and the fact that contractors are doing the work shouldn't affect the government's ability to at least extrapolate what types of job creation there is going to be by moving from an unregulated facility to a monitored facility where it is regulated.

It leads me to yet another question — there are a couple of questions that come out of this. One is the fact that we are using private contractors and whether or not we're going to be moving toward more use of private contractors to provide these services or whether or the government — which is responsible for them — is going to invest in this infrastructure and whether or not this is leading toward public/private partnerships in the management of solid waste.

We have control, basically, of the facilities that are in the vicinity of Whitehorse. We're operating transfer stations in Marsh Lake, Carcross, Tagish, Mount Lorne and Deep Creek. Part of the reason why we did that was because there was an increasing pressure on these facilities from people trucking waste from Whitehorse out to these facilities in an uncontrolled manner, and they were just dumping them off. There could be construction demolition debris; it could be car bodies; it could be appliances, and it could be domestic waste, but it was uncontrolled.

So now that we're going to gate these and man them, are we going to have some control? What kind of measures are we going to put in place for people who are inappropriately disposing of waste in these facilities when they should be more appropriately trucking them to the War Eagle facility here in Whitehorse?

Now I understand part of the reason why they're doing it, but we're defeating the purpose of creating these transfer stations if people are going to still be allowed to dispose of their waste in these transfer stations and then we transfer it back to Whitehorse and the government pays the tipping fees on the waste that's transferred from the transfer stations back to the City of Whitehorse. It may be more cost effective and more environmentally friendly if the government entered into some discussions with the City of Whitehorse about tipping fees at the Whitehorse dump.

Those community facilities are there for the benefit of those communities, and this argument goes back and forth because the City considers that there is somewhat of a burden placed on municipal infrastructure by those people living outside of the municipality, but this is a case of the reverse happening, where residents of Whitehorse, who pay taxes in Whitehorse can avail themselves of the infrastructure here in the City of Whitehorse — albeit, they still have to pay tipping fees, if they're tipping — depending on what it is — if it's not picked up at their doorstep, but it doesn't make sense to me that they haul their refuse out to these other facilities, and then that we haul it back and pay the tipping fee to the City. So, I'm just wondering if the department is working on a remedy to that situation to alleviate that.

Hon. Mr. Lang: In this solid-waste study, we're going to do community baseline studies of volumes in communities, so we can monitor what happens in our communities, but the problem we had in the past wasn't the fact that people were taking their solid waste to another facility, it was the fact we had facilities in the area that were not manned or were not controlled. That's where the issue arose. It arose from that issue that all of a sudden we were having Mount Lorne under lock and key — except Carcross wasn't or Tagish — and so what people did was take advantage of the situation. As we move forward with the solid-waste plan and we have these facilities under lock and key in essence — or in other words manned and monitored — and do our baseline so we monitor that. But in our communities, I am sure, like Mount Lorne or Carcross, as we move through with the management of individuals there, you are going to find that these people will know their customer base. They will be able to monitor the fact of whether

somebody is arriving with a truckload of fridges or otherwise. At that point, questions will be asked.

I think that by treating all of our solid-waste sites in the Whitehorse area the same, we are going to get a lot more buy-in from all Yukoners. Whether they are contractors or whatever, they are going to start utilizing the facility like the Whitehorse dump or solid-waste management area. We ourselves have dealt with the City of Whitehorse to utilize their solid waste for our solid waste, whether it is Carcross, Tagish or whatever — so we pay tipping fees.

Certainly those were discussions we had before we brought this solid-waste plan forward. But as far as the management of solid waste in the territory, this is a great improvement. This is a good blueprint. I'm looking forward to the individuals from municipalities, First Nations and environmental individuals who are going to sit on this panel so they can work with this plan and move forward on how we're going to manage solid waste.

Now another issue we have is municipalities. Municipalities in this equation are very important too, so we're going to have to work with them to see how they are going to move forward with their management of solid waste. We can't continually fill up landfills with waste and be successful. So it's an education thing; it's something that we have to work on, but we're committed as a government to do the hard work — to go out to our municipalities and work with them and also work with the unincorporated areas that we do on the level of Community Services to do exactly what we set out to do. For one thing, that's not to have a one-off from one solid-waste site to another, and that is what has happened over the last three or four years.

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

Recess

Chair: Order please. Committee of the Whole will come to order. The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*. We will now continue with general debate on Vote 51.

Mr. Cardiff: Just before we took the break, we were talking about the solid-waste action plan. The minister was talking about the fact that the big change is that we now have manned facilities. I am just wondering how he sees that addressing the concern that I raised about residents of Whitehorse dropping off their refuse to be dealt with there as opposed to at the Whitehorse city facility.

I'm just wondering what he said. What I heard him say was that we're going to be able to monitor it and get to know what the pattern are of waste disposal in given communities. Well, what I want to know is whether or not there's going to be any enforcement. Are we going to be stopping businesses from, for instance, dropping off truckloads full of construction debris, appliances or tires where there is no tipping fee in those facilities, as opposed to where there is a tipping fee in Whitehorse? I'm wondering whether or not they're going to be checking where these individuals come from as to whether or not they

can use those facilities or is it still going to be — just because you put a gate on the facility and you man the facility doesn't mean that people are going to stop coming. It'll probably slow it down a little bit, I suspect, but I don't think that it will entirely put an end to it. One of the concerns that I have is especially in some of the more rural areas.

I talked about and raised a little bit yesterday in the debate on the climate change motion the fact that there is a requirement — and I believe there is a requirement in the Yukon to evacuate the refrigerants from refrigeration devices. So that means air conditioners, refrigerators, freezers and those types of appliances. What I'd like to know is, if there is unregulated tipping of those types of appliances in some of these rural solid-waste facilities, how is the government dealing with that and ensuring that noxious and greenhouse gases aren't escaping into the atmosphere? It's about regulating the amount of waste and whether or not it's appropriate for — if construction waste is generated here in the City of Whitehorse, it should be disposed of in the City of Whitehorse, not at the rural transfer stations. So how is the minister going to enforce that?

I guess the other issue is, are they going to enter into a discussion with the City of Whitehorse about tipping fees, and how to encourage people from Whitehorse to use the Whitehorse facility, as opposed to the rural facilities?

Hon. Mr. Lang: Addressing the member opposite, certainly the transfer stations that we have put in place have only been in place for a couple weeks. We do have contractors on the ground, monitoring and working with the system as it is today. I have to caution the member opposite on the question about turning people away from solid-waste sites, and then they go down the road and dump it into the ditch. I mean, that's an alternative. We have to use common sense here. This is a Yukon-wide solid-waste plan. I understand the fact that there are some people who are going to bend the rules, but I think this is a massive improvement over what we saw here 24 months ago. We want that solid waste in the territory to be handled appropriately, and that means everybody participates in going to the solid-waste area, instead of going to the back road and dumping off their refuse, because that has been an issue in the past.

We have to be aware of all the issues that could come out of this. Go back to the action plan and the work we're doing now. I look at the commitment of the government to put the committee together to address some of these other issues.

There are things in place where we have to work with old fridges, deep-freezers and other things, but maybe there should be a cost when you buy the fridge or the deep-freeze so this is a recyclable issue, like we do with tires and other things. These will be a lot of the questions this group of individuals will be discussing. How do we mitigate the landfills and solid-waste areas we have today to minimize the amount of refuse that goes in them?

We have a recycling program. We have the beverage container recycling program, a used tire program, household hazardous waste collection, special waste collection, recycle fund grants, recycling education fund, recycling club, waste, reduction and recycling initiative, and a e-waste collection and proc-

essing program. We have those in place today, but what we want to do is get better at managing our solid waste.

We want to involve all Yukoners in that plan, because we don't want to see our side roads, our gravel pits and these other areas that aren't being monitored become part of a community solution, because they don't have access to a refuse or a solid-waste area or the City of Whitehorse prices people out of the area here. There is a cost to managing solid waste. The City of Whitehorse has a massive operation at the solid-waste facility we have here.

So in addressing the member opposite, I can't emphasize enough that we have to make sure that people use the solid-waste sites and to mitigate that on the question of a baseline study. The baseline study is to identify community waste types and levels and support the development of waste reduction targets. We have to know what's going into these solid-waste areas. With that, we can work with that solid-waste. I guess what I'm saying is every solid waste will be a unique facility when it comes to the waste that is being put in it. I mean, Mount Lorne will have more pressure than Tagish, so Tagish will be a smaller operation or it might be a different operation.

You are looking at more seniors in Tagish and you will be looking at more of a construction concept in the Carcross area and Mount Lorne and that. All of that would come out of this baseline study. Now the baseline study would be monitored through a period of time so that we could get a history on the solid waste, what is going into the process and how we could improve on that. In addressing the member opposite, we have programs in place. We are looking at enhancing some of the programs. I don't want to second guess what this group of individuals are going to come back and say, such as "Look, can we —" with the resources they are going to have " — and by the way, we recommend you do this, this and that". Whatever recommendations they bring forward we will take very seriously as a government. Any government would take them very seriously. I am looking forward. This thing has only been out for a month. The management of Carcross and Tagish and these other transfer stations have only been in operation for a month. So let's give it a little time and let's work with it. Let's do our baseline study. Let's get together in the new year and put together our group of individuals and the expertise that we need on the committee and let's go to work and see how we as Yukoners can better manage their solid waste.

Mr. Cardiff: I don't disagree with the minister, Mr. Chair. That was the whole point of the consultation and the action plan. My question is more about what's on the table. One of the concerns raised was the carbon footprint. If we're trucking waste back and forth between Whitehorse and these landfills and then back to Whitehorse, that doesn't have a very positive impact on the carbon footprint of the plan. I'm not sure what we can do about that. It's about ensuring people are using the facility that's most appropriate and closest to them and educating the public. There's also the issue about tipping fees and whether or not the government's prepared to talk with the City of Whitehorse about easing the tipping fees in some way and having a discussion with the government about how that can be done — whether or not the territorial government is prepared to

contribute to that, or whether or not there should be tipping fees at some of the transfer stations for certain types of waste to discourage the long-distance hauling of waste.

I don't want to see it dumped on the side of the road either. I don't want to see it dumped down some back road because that's not appropriate either. Maybe there needs to be some greater enforcement on some of these issues and some investigations done when we find this type of activity happening.

While this is a subject that's very important to me and my constituents and many Yukoners, and I recognize the progress that has been made on it, I think that we need to move on. I know there are some other people who would like to ask questions as well. I'm going to try and ask a couple more questions.

In the budget, there is an \$85,000 increase for a policy analyst to review and research possible amendments for Yukon legislation and regulations that are impacted by the signing of the agreement on internal trade, specifically with regard to labour mobility and being compliant with that. I'd like to know how far along we are with that work, what has been done on this file, what we found out about what regulations and legislation need to be changed, how much longer we have to be compliant with the agreement on internal trade and what impact it will have on the Department of Community Services and if there has been any analysis done on other departments, what will those impacts be on the government here in the Yukon?

Hon. Mr. Lang: Going back to the solid waste and when the member opposite left his questions, I've been thumbing through this again, many times — it's important that we look at the solid waste in a way that, for Yukoners — and of course, it's an educational thing for Yukoners, too, like recycling was, 20 years ago. Recycling 20 years ago was not acceptable. People didn't recycle. I don't know a soul now who doesn't manage his recyclables. Then we have to manage troublesome and special waste. How do we do that? Household hazardous waste. Later, plastic bags and packaging — it's a monster of a management issue. White goods, major appliances, like we were talking — fridges and other things. Auto body hulks — in our remote management areas, how do we manage our abandoned auto bodies? Scrap metal, tires — another issue — construction and demolition material, which we see a lot of now. Waste, e-waste, electronic waste. What do we do with our propane tanks? How do we manage that? Lead-acid batteries — how do we do those kinds of things? Those have to be managed. In saying all that, going through that lengthy list, I say the government will review and explore changes to programs and regulations to enhance waste reduction, and diversion activities. That's exactly why we did this — to go to work with Yukoners to divert the solid waste where it could be managed better.

One key area requiring exploration is Yukon's management of troublesome waste and bulk waste from construction and development projects. That's exactly what the member opposite was mentioning. How do we manage solid-waste sites that attract that kind of clientele? As this unfolds, we're going to have to do the good work it takes to answer those questions. Those questions haven't been answered yet, but this is a big step forward. This solid-waste action plan will make the man-

agement of our solid waste in the next period of time — will enhance it immensely.

As far as the question about the access to resources — on the labour mobility part of the *Agreement on Internal Trade*, the government is committed to working in partnership with the Government of Canada, obviously, and the provinces and territories to meet Yukon's commitment under the *Agreement on Internal Trade*. Community Services, which regulates most occupations in Yukon, is reviewing its legislation to address labour mobility issues to ensure qualified workers have fair access to the employment opportunities across Canada. This is an agreement that was signed on to by all the provinces and the federal government, being led by the federal government.

We have until June 2010 to get our house in order and be up and managing the issue. In return, the individual is just being put in place over the last month or six weeks and the individual is doing the work that is required — the homework to flesh out the questions and see where we are at as far as moving ahead by June 2010. It is too soon for me to say to the member opposite where we are exactly, but over the next period of time I look forward to having an updated report on where we are and how it looks for timelines moving forward.

Mr. Cardiff: We are going to deal with both of these questions again, I guess. This person has been in place for six weeks. We need to be compliant by June 2010. If the minister doesn't have the information now then I would look forward to receiving it at a future date in the new year when we have the information. It appears we are on a fairly tight timeline here if we have to be compliant by June 2010. To analyze all the government legislation to ensure that it is compliant with the AIT seems like a huge task for one person.

I hope they get time off for Christmas and the new year and have an opportunity to spend some time — because it seems like a huge task. Maybe in the new year — because I'm assuming if we're going to be compliant that we have to deal with the legislative changes in the spring sitting. I'm not sure what those are, but if the minister could let us know in the new year what those legislative changes or regulatory changes are that are going to be coming forward, it would be much appreciated.

With regard to the solid-waste issue, the minister indicated that the solid-waste advisory committee — that the government would be working with them and looking at legislation and regulations to improve solid-waste management. Can he tell us whether or not looking at those regulations and the consultation around that would include discussions around tipping fees and/or fines for the inappropriate dumping of solid waste?

Hon. Mr. Lang: I guess, in addressing the member opposite — the question — we first have to get the group of individuals put together that we see sitting on this group and certainly, at that point, work with them as we move forward. So I don't want to second-guess what's going to come out of this consultation with the group and what recommendation they're going to bring forward. It is certainly beneficial to us to make sure that we have the baseline studies done in our solid-waste areas, so we can work with that.

But the most important thing is to make sure that we get this group of individuals with some expertise up and doing the good work they're going to have to do to recommend to government how they see this thing moving forward, working within this action plan we have here today.

Illegal dumping, even now, is covered under the *Environment Act*, so it's not legal to illegally dump in the ditches or anywhere in the territory. You have to go to an area that is a controlled solid-waste area. So Environment already has that in place. So those are the kinds of questions that when Environment gets up, the member opposite can address. But they do have a policy in place on illegal dumping, and they have a mechanism where fines or whatever can be handed out.

I don't have that information, but the Minister of Environment could address that when that individual is up answering questions.

Mr. Cardiff: I recognize that there is some crossover. I know that the Department of Community Services is in discussions with the Department of Environment around things like recycling programs and that type of thing. Since this is a solid-waste issue and matter, I hope they're working with the department hand-in-hand to address this issue and ensure there is enforcement of the laws and statutes in this area.

I'd like to ask the minister a couple of other questions. We're getting too close to the end of the day here, unfortunately.

In the briefing — I don't have my notes so I'm going by recollection — there were monies left in the municipal rural infrastructure fund.

There were some projects; there were funds left over that hadn't been allotted to projects. It was my understanding that there was going to be a decision made soon about the allocation of those funds. They were working with existing projects and submissions that had already been put forward. It would be up to the territorial government and the federal government to meet and decide on which projects were going to move forward. This was the tail end, I believe, of the MRIF money or the municipal rural infrastructure fund.

The minister is not going to stand up here today and tell us which projects have been approved because they want to put out a press release. What I would like to know is, how soon can we expect an announcement on which projects will be moving forward in the new year with funds from the municipal rural infrastructure fund?

Hon. Mr. Lang: In addressing the member opposite, I neglected to answer the AIT question that he asked in the last question. It is a multi-department overview. It is not just the Community Services overview. So there are more ramifications than just the Community Services department. Multiple departments are working on the AIT issues so it's not just Community Services.

As far as the MRIF programs, they're sunsetted. In other words, there's no intake. There's no room for applications. We're looking at applications that were already made. At this point, we're waiting for the federal government to make their decision. The timelines — I'm not privy to those. The federal

government will make their announcement when the federal government makes their announcement.

Mr. Cardiff: One of the criteria for the Building Canada fund for those projects is that they look at projects that include public/private partnerships on these infrastructure projects. I'm just wondering whether or not, as a territorial government, we're actually being forced to look at public/private partnerships on some of these projects.

Under the Building Canada fund, one of the projects that there's money in the supplementary budget for is the Carmacks sewage treatment plant. I see the Premier is on his feet again weighing in on this subject. We believe that this is the type of infrastructure that should be owned and operated by the public, not by private individuals. That's not the type of infrastructure that should be operated for profit by private corporations. It's one of the criteria and one of the things that are assessed when these are reviewed when these projects come forward. It appeared to me that projects that included a public/private partnership would be looked on favourably.

I'm just wondering whether or not any of these projects that are going to be coming forward under the Building Canada fund will include a public/private partnership.

Hon. Mr. Lang: The public/private partnership is a generic clause in the Building Canada fund. It's the federal government. We're not considering a public/private partnership in any of this. It's something that they have. It goes right across Canada — the same form, the same clause — but we're not going to take advantage of that. We're not contemplating any public/private partnerships.

Mr. Cardiff: I appreciate that answer. We hope the government doesn't change their mind on that. I will remind the minister of his words. I know the Premier is in full agreement because he's standing right there telling the minister what the government policy on that is.

I'd like to ask two more quick questions and then I'll turn it over. I'm going to ask them in tandem here, all at once. I'd like to know what policies there are in the Department of Community Services or in government to encourage green technology in community infrastructure and what the department's long-term vision is in terms of building new community infrastructure. What projects are they looking at?

One of the reasons I'm asking this question is that there seems to be this increasing move toward federal programs — there's money available if it's a shovel-ready project. I know that previous governments have done this. They've developed projects and had them sit on the shelf, much like the Energy Corporation did with Mayo B. I'm just wondering what projects the Department of Community Services is looking at in their long-range planning for community infrastructure?

Hon. Mr. Lang: I guess what we have to go back to is the energy strategy for Yukon, which we tabled here in the House. This covers all the departments in the government, not just Community Services. This is how this government is going to move forward with this energy strategy for the Yukon, which was also tabled at the same time as the climate change action plan, but this is how government is looking at all their construction sites, whether it's in property management — any-

thing that Community Services is involved in. It's very important that we maximize the green component to any of our construction sites. We're committed to work with this energy strategy and it will encompass all departments in the government as we move forward.

Mr. Cardiff: Well, the minister kind of answered half the question, which was about the green technology, and he's basically attributing it to the energy strategy. So the energy strategy is the policy. There are no other policies around encouraging green technology and community infrastructure.

The other question I asked the minister, which he didn't answer, was the long-term vision in terms of building new community infrastructure projects. Can he tell us what projects are being looked at and in what communities, with a view to having some of these shovel-ready projects available, so that if funding does become available — more economic stimulus funding at some point — we have projects that are actually on the shelf and are, I guess the term is, "shovel-ready".

Hon. Mr. Lang: In addressing that, I guess it was the Yukon infrastructure plan that's in front of the federal government at the moment.

We hope to table that in the new year, as soon as the federal government reviews it and gives us their blessing, but that's what the task was when it was set out. It didn't only involve the territorial government. It involved municipal governments and First Nations, and it was all about infrastructure and needs in the community.

That plan has gone down to the federal government and they're reviewing it as we speak. We're looking forward to a speedy turnaround at that point, and we would then table it here in the House or it would become a public document.

Mr. Cardiff: I have one quick question. The minister says he's looking forward to a speedy turnaround. Can he tell us when he'll make that infrastructure plan available to all Yukoners?

Hon. Mr. Lang: It's out of our hands at the moment. It's in the hands of the Minister of Infrastructure in Ottawa. They are a big partner in this. As I said to the member opposite, I'm looking for a speedy turnaround, but I can't say on the floor today that it's going to arrive any time in the near future. We hope it'll be here in the new year. We will work with the federal government. It is an extensive review — all the communities and all the First Nations.

It was quite extensive work that was done. So there is some work to be done in Ottawa and I'm looking forward to the final "blessing" — I guess you could call it — when the Minister of Infrastructure in Ottawa moves forward with their decision.

Mr. Fairclough: I do have a couple of questions for the Minister of Community Services. I would just like to follow up on the line of questioning the Member for Mount Lorne was asking. It is in regard to garbage dumps and solid-waste facilities. I was again talking to some of my constituents in the community of Keno City and they have told me that there are plans to move that facility into another spot. The spot that was identified was just down the hill from where Alexco is building their mill. I believe the time for moving it was either this year

— which didn't happen — or it was to be moved next year. What work has the department done to relocate this facility?

Hon. Mr. Lang: At the moment, we don't have any plans to move the dump in Keno City, so it's not something we're doing in the near future. But that doesn't mean that down the road we wouldn't be working with the community to improve their solid-waste management facility, too. I'm not saying that it's something that we wouldn't consider, but it is certainly something that isn't on our radar screen at the moment.

Mr. Fairclough: I'm interested in the minister's answers, because it was on the radar screen. It was the plan and even a site was identified. Are we just postponing this whole project or is the minister working with the community to identify a new site and make these improvements for that small community?

Hon. Mr. Lang: There was certainly some input on the solid-waste action plan, and we had individuals go out and address these issues. Some of the issues that they brought forward we accepted and most of them were put in the action plan. So at the moment we're not planning to move the site of Keno City's solid waste facility.

But, as we move forward with the solid-waste action plan, it's something that we could address in the future.

Mr. Fairclough: I'll take that information back to the residents of Keno City. I believe that they were engaged, and had discussions with the government on this matter, and were expecting things to move ahead.

I would like to ask the minister about another issue in Keno City, and that is the residents' desire to form a local advisory council. Why did the minister not support the community in forming a local advisory council?

Hon. Mr. Lang: We had put a community advisor in place to work with the community of Keno and the association in addressing community needs, so we have that conduit of information between us and the small community of Keno City, understanding that the community is very small. There are obligations and responsibilities that go with a LAC.

I feel at the moment that by having this community advisor working with the community one on one, I think that it would be a better fit than putting a small community into a local advisory situation, which means obligations and other issues that a community of 18 people — it's not a doable thing. I understand that they do have to have a conduit of communication with the government. We've committed to that. We put the community advisor in place. I've also asked the community to designate one or two people who could be our conduit in the community, because obviously all 18 people won't be available every time an individual goes to the community of Keno. We are working with the community. Hopefully, they'll come up with recommendations so that we can have regular meetings and we — in conjunction with Energy, Mines and Resources and Community Services — can work and try to resolve some of the issues that the community has.

Mr. Fairclough: The minister's response to the residents of Keno City was to identify a community advisory person to deal with the community and hopefully have regular meetings, and that's the solution.

I believe what the community wanted was to have this organization — the LAC or local advisory council — so they can sit and meet and talk and have minutes of their meetings and find a way for the community to get together to pass their issues on to government.

I believe that is still their wish, to have this local advisory council formed. I don't think the residents of Keno City were too happy with the minister's reasoning for not allowing them to become a local advisory council. It's not a hamlet; it's not a municipality; it's something a step down from that — but it is an avenue for the community to gather and, in a more formal way, present their positions to the government.

The minister said he did not feel they could meet the needs of addressing the book work and so on. I think when the minister met with the residents of Keno City, he probably felt that the people there really knew what they were doing. They did their homework when it came to issues of mining and so on. They all did their homework. They're very up on issues, and they had a lot to offer — a lot of suggestions to be made to the Premier during the Premier's tour. They had it all organized and written down on paper, and I've seen some of those.

Right now, this department will be sending an advisory person out to deal with the community and, hopefully, hold regular meetings. I understand one happened not too long ago.

How long does the minister expect this to carry on? Does he see a local advisory council being formed in this community down the road? There is a lot of activity in and around Keno. There are a lot of issues that the residents want to raise. They want to have a local advisory committee, as was suggested also — to go ahead and form this type of a council — by the minister himself.

I am just wondering because right now they have it in their books — a letter from the minister rejecting their proposal for having a local advisory council.

Hon. Mr. Lang: We certainly had a discussion with the members there. My recommendation was how do we get a conduit of information between the territorial government and the community — a better form of communication. The LAC — for instance, you need 10 people to nominate you to run for the LAC. I mean, for all those things, the numbers aren't there, Mr. Chair. What I offered them was a registered community association if they wanted to go that way. The *Societies Act* would be part and parcel of that. That would give them a formal group to work under. Also, as I said, we have an advisor who would go up to work with them and walk them through if they were to move to a registered community association. It is very clear in the *Societies Act* how that works. Certainly, they would get representation at that level.

We have to understand, Mr. Chair, the number of individuals who live in the community is less than 25 and at this point being an LAC is not viable with that number of individuals. If the member is saying we're going to have an influx of 200 people in the community — if we can look forward to that, at that point we would certainly look at an LAC and how we would move forward in managing those kinds of numbers. How do we manage to work with individuals fewer than 25? In the winter, I think it falls below 20. How do they get represen-

tation? We haven't shut the door on representation; we're just recommending another way for that group of individuals to have their voice heard.

Mr. Fairclough: This is a bit of a change in the position of the minister because in his letter of May 8, 2009, the minister said in their experience it is administratively challenging even for groups of 100. That is basically putting the residents in question about whether or not they can actually do the paperwork. At the same time, there is a suggestion of them forming societies or associations to be able to handle this. That again takes a certain amount of bookwork to be able to uphold. I'm not happy with the minister's answer on this.

I think the residents of Keno deserve a voice, and quite often it is through forming advisory councils or hamlet status or whatnot. I would like to know, then — this community advisory person that the minister announced here — is this person working full-time on paying attention to the issues raised by the community of Keno City? How much time will this person put toward the community? How much time is dedicated to them, or is this person also dealing with other communities and other unincorporated communities?

Hon. Mr. Lang: I remind the member that whatever the community of Keno does, there's going to be some work involved. A registered community association is going to be some work. For somebody in the community to do all the footwork around the *Societies Act* and to get the thing up and running — it's not going to appear out of the air.

As far as the individual who is responsible for overseeing Keno City, he or she has the responsibility for Dawson City, Mayo and Keno. It's not an individual who is going to work full-time in Keno City. The people in Keno City have some options.

One of the options was that I committed to put an individual there on a regular basis — in other words, arriving there to discuss issues with the town. I recommended that they go to work — all 18 of them — and form a registered community association and have their voice heard if that's what they want to do. But that's their decision, not mine.

My decision was that we would have a community individual go in there on a regular basis and touch base with the individuals to see where he could be of some assistance to the community of Keno. That's my responsibility to the community and a commitment I made as Minister of Community Services.

None of these things involve "no work".

Mr. Fairclough: I don't know who the minister thinks he's talking to. I just said that. Forming a society or an association takes all that work. It's no different from basically having a local advisory council.

The minister is saying two different things and really hasn't given the residents a really good answer as to why they're not able to form this local advisory council. I'm disappointed in the minister.

I'm sure when the Premier goes up to the community, or the minister himself, he would get an earful from the community members themselves. There's a lot that's going on in and

around the community of Keno that is of interest for all Yukoners and particularly for government.

I would like to move down the road a little bit and talk about a commitment that government made to Na Cho Nyäk Dun, and that is with their geothermal system that they have in their administration building. Before construction, there was much talk and discussion with government on this matter. There were agreements, verbal agreements, that talked about how best to access dollars to have this system go into their administration building. Everything was a go with the understanding on both sides — government and Na Cho Nyäk Dun — and they put this system in, and then the money just wasn't there. They were told to go through the municipal rural infrastructure fund.

Now that they have this money invested into this system, it doesn't count toward the project any more, and one-third/one-third/one-third is the way the funding is. I'm just wondering how government is meeting the commitment to Na Cho Nyäk Dun for this administration building. I would have thought perhaps the government would have jumped at this because it's not something new — geothermal heating. But their plans for this administration building would have been interesting, even if government can monitor it.

It is not just heating their building, but part of the subdivision that they're developing up there. All the infrastructure is in the building right now, but they still need to access this warm water through a well, and additional dollars are needed to complete it. Where is government on this, and what is the minister's suggestion for Na Cho Nyäk Dun?

Hon. Mr. Lang: We're working with the First Nation on that issue. It is a good project. We're very optimistic. The application exists, and we're going through the review.

It is an MRIF project and I certainly look forward to a positive result. It is a great project. The First Nation and the council and ourselves — we as a government support it and we are working with them to try to get that thing approved so they can look forward to this spring doing the work that they have to do to enhance the technology and get their building done and get the heat and take advantage of the investment they already have there.

Mr. Fairclough: I would say that it is an excellent project. The government should be jumping at this project too, even for the whole sole reason of being able to monitor it and perhaps use this technology down the road. I have been through their building and I have gone through the mechanical room and it is impressive. It would be a shame if it was just left alone because something like that, from what I hear, 10 years down the road would have paid for itself and after that it would be not all that much to heat their building.

I would also like to move down the road to — it's a line item in this supplementary budget and it wasn't in the spring, whether it's a revote or where the money went — but it's with regard to the community of Pelly Crossing, the Selkirk First Nation and the small-diameter piped water. Is the \$70,000 going for completion of the project? Are we going to see additional dollars in the future toward this project, or is it complete now?

Hon. Mr. Lang: That's a revote. The work wasn't done, so they'll continue in the new year.

Mr. Fairclough: Okay, I thank the minister for that. I would also expect that it is the same with the sewage treatment plant in the community of Carmacks. It's almost \$4 million. Is this work that's going to be carried over again — is it a revote, or is it a completion of the project? I've been watching this project right from the beginning. I know some of the people who have worked on it. It looks pretty good so far and I think the community is quite happy with it. I just would like an explanation from the minister on this project; whether he feels it's going to be complete this coming — we're in the middle of the winter now. I would ask when he expects this to be operational and whether or not, while we are talking about this project, there are additional projects related to it. I'll just leave it at that for now.

Hon. Mr. Lang: In the total, there was a revote of \$2.223 million for construction of the project. That was delayed in the summer because of high water in 2008. There is an extra \$1.77 million required due to unsuitable ground conditions. So that was an added cost to the actual foundation. At this point, I think it's in the process of being commissioned. So it's going through a trial basis and then I imagine the community will be taking it over after this trial period.

Mr. Fairclough: Thank you, Mr. Chair. Is this an additional cost or part of the overall cost for this project — the \$1.77 million for this unsuitable ground? Can the minister explain in some detail what that means?

Hon. Mr. Lang: In addressing the issue about the \$1.77 million, there was some question about some foundation work, which was just part of it. There was also running the power main, replacement of the broken equipment — and obviously there was some broken equipment for some reason, I don't know exactly why — and also resurfacing the Carmacks River Drive because it was torn up when they were putting the process in. All of those things add up to \$1.77 million.

Mr. Fairclough: That's an additional cost to the project. I thank the minister for that. I know the road was done and I think they resurfaced the road and they had a huge rainstorm the next day or the same day — this might come back to government in perhaps addressing this road, should it fall apart.

Are there any problems expected from this or have all the issues been addressed in this unsuitable ground? I've walked back there; I went through this property with a friend. I know where it is and I know that there's a swamp back there. I know there's an underground stream that comes out of the hill and comes to the surface and it is running by that property around and back across the road, into the Yukon River.

I have some worries about it, I guess, and maybe the minister can fill us in as to the improvements that have been made and his reassurance that all has been taken care of with this unsuitable ground.

Hon. Mr. Lang: This project was a partnership with the town of Carmacks, and it was highly engineered. There was an extensive review of all aspects of this review. We don't feel that there's going to be any issues. The trials are going on right

at the moment, and as far as I've been notified, everything's successful. So I'm optimistic that everything will be fine.

Mr. McRobb: I just have a couple of short snappers for the minister. On Saturday night I was at the great chili cook-off in the community of Mendenhall. I was reminded about an issue with the community well, when everyone was warned not to drink the tap water because of the high uranium levels.

Can the minister indicate to us, number one, if he has responded yet to the community's letter, like he said he was going to do and, number two, what this government is actually doing about this problem?

Hon. Mr. Lang: We have been in contact with the Mendenhall community, and it's a potable water question. The uranium levels in the community exceed the guideline for Canadian drinking water quality. Community Services completed a water sample program a year ago to determine the extent of the uranium concentration and has since identified another location for a new community well.

Community Services is considering options for the community and exploring funding programs that might be utilized. The Yukon government also has a program to assist individuals to develop their own wells through the rural domestic water well program, which may be an option for some of the residents.

Mr. McRobb: All right. I'm not sure if that is new information or if that's the substance of a letter yet to go out from the minister in response to the community's letter. Perhaps when he is next on his feet, he can identify exactly what it was.

Another short snapper for the minister is the need for a new fire hall in Beaver Creek. He will remember correspondence I sent him earlier this summer and asked him about the possibilities of a capital project in that community. Basically I got the standard response, Mr. Chair, which was to the effect of the project is under consideration within the government's capital planning budget, which essentially means nothing.

We know some projects can be considered for years or even decades and never happen. I would like to make a case for urgency on this project. The existing fire hall is a very old facility and there are problems with it. In addition, a new facility is envisaged to also store the emergency vehicle for the community — and the emergency vehicle, Mr. Chair, responds obviously to road emergencies and emergencies within the community.

Beaver Creek is also a border community. It's on the main highway corridor between Alaska and the south and it has quite a distance to cover. There are quite a few accidents on that road when this particular vehicle is required. We all know the state of the north Alaska Highway leaves a lot to be desired now with respect to frost heaves and everything else. This vehicle needs to be ready to go, 24/7, 365 days a year. It shouldn't be left outside in the cold where anything can happen. This matter has been brought to my attention for several years by paramedics, people involved in emergency services, people involved in the community association, the First Nation, and others. This facility is totally justified. We know there is funding available

from the federal government to partner with Yukon government funds to construct this facility.

I would like the minister to indicate whether this building will finally make the capital budget that will be announced in a few months, for which the internal budgeting process was already started, and probably decided — so he knows the answer. Will this building be in next year's budget?

Hon. Mr. Lang: In addressing the member opposite, we do an assessment on a yearly basis of the needs of all the communities in the Yukon, not just Beaver Creek or Haines Junction. We represent all of the Yukon. I'm not prepared to stand up on the floor here today and pre-empt the budget that will be coming out in the spring. All those decisions will be made in the House, and the member opposite will be able to vote on it.

Mr. McRobb: Once again, the minister didn't tell us anything we already didn't know. I would urge him to visit the community and talk to the good people of Beaver Creek, and fully understand the circumstances there, so when he does read the report regarding the conditions of such facilities Yukon wide, he will know, first-hand, what is meant by the by the urgency and priority that should be applied to this particular capital project in Beaver Creek.

I would just ask him on his next tour to make arrangements so he has first-hand knowledge on the ground of this matter.

Hon. Mr. Lang: I did discuss issues with the Beaver Creek community and I did a tour of the fire hall as it is there today. The question wasn't brought up about a new hall, so obviously he was talking to different people than we were at the public meeting.

That doesn't mean that we don't assess the equipment and the buildings in all our communities. As I said to the member opposite, we will be prioritizing where we're going to go. There will be a spring budget — those decisions will be voted on in here in the House and, at that point, we'll know what fire halls are being replaced, if any, in the new budget here in 2010.

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

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 17, *Second Appropriation Act, 2009-10*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

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

The House adjourned at 5:30 p.m.