

**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, November 25, 2009 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of the White Ribbon campaign

Hon. Mr. Fentie: I rise in the House today to pay tribute to the White Ribbon campaign. This campaign launches every year on November 25 to mark the International Day for the Elimination of Violence Against Women. The purpose of the white ribbon is to demonstrate men's commitment to working toward gender equality by speaking out against violence and discrimination against women.

The White Ribbon campaign is a worldwide effort of men working to end men's violence against women. The White Ribbon campaign addresses issues of gender inequality and encourages men and boys to speak out in their workplaces and communities against violence done to women.

Mr. Speaker, I am saddened that every day in our communities women and girls are abused by men. Yukon women and girls should not have to live in fear of violence nor should they have to face discrimination because of their gender. We all have to stand up and put a stop to it.

To wear the white ribbon is to signify a man's pledge to never commit, condone or be silent about violence against women and girls. As men, we must speak up and speak out against violence and discrimination at work, in our homes and in our communities.

As a man and as the Premier, I feel it is my responsibility to be a role model in working against violence toward women. I believe that women have the right to live free from physical, sexual or psychological violence at all times. I am very proud to wear the white ribbon.

Men must continue to work together to eliminate gender inequality and to be better supporters of women and girls who are experiencing violence and discrimination. I encourage every man to make a pledge to treat women and girls with respect, because by remaining silent about these things we simply allow the violence to continue. Change can and will occur if we work together.

Thank you, Mr. Speaker.

Mr. Elias: I rise today on behalf of the Official Opposition in recognition of the International Day for the Elimination of Violence Against Women. 2009 marks the 10th anniversary of the formal proclamation by the United Nations of November 25 as the International Day for the Elimination of Violence

Against Women. The campaign theme this year is "Commit — Act — Demand. We can end violence against women."

Violence against women persists in every country in the world as a pervasive violation of human rights and a major impediment to achieving gender equality. Violence against women and girls takes many forms. It is not limited to any culture, region or country or to any specific group of women. The human costs of gender-based violence are invisible. Fear and shame continue to prevent many women from speaking out. It is estimated that up to 70 percent of women experience physical or sexual violence from men in their lifetime.

Violence against women includes physical and sexual assault, sexual harassment, psychological abuse, or emotional abuse. Violence against women remains prevalent, pervasive, systemic, and even sanctioned. It continues to demean women and rob them of their dignity. We need to end this pandemic of violence.

The 12-day campaign to end violence against women begins this week in the Yukon and runs through to December 6, which is the National Day of Remembrance and Action on Violence Against Women. The purpose is to raise awareness of violence against women and to speak out against it. This year's 12-day campaign is to promote the engagement of men by having them sign postcard pledges to never commit, condone, or remain silent about violence against women.

The goal is to have 520 postcards signed over the 12 days — one pledge of action for every aboriginal woman who has gone missing or been murdered over the last 30 years. The official launch of a local postcard and poster campaign will take place at the Victoria Faulkner Women's Centre.

In Yukon, violence against women happens all too often. The number of women and children showing up at Kaushee's Place is astounding, and it's not decreasing. Those are the ones we know about. But there are many, many more women and children out there who are afraid to come forward for help.

For the children who witness violence in the home, it can be devastating and lead to long-term emotional problems and low self-esteem. These children also learn or believe that it is normal or acceptable behaviour as they grow up. They in turn follow the pattern and become abusers. It is a vicious cycle because violence begets violence. We must teach our children by example that all forms of violence are unacceptable. Respect for girls and women and equality between men and women are preconditions to ending violence.

We know that this won't happen overnight. Real solutions are truly long-term solutions. Women's organizations have taken the lead in developing innovative efforts to tackle the issue, including providing services, drafting and lobbying for legislation and raising awareness of violence. It is unfortunate in today's society that there is an ever-growing need for more and more shelters for abused women and children. Violence against women and girls is a problem with epidemic proportions that devastates lives, fractures communities and stalls development. The time has come to put an end to this most flagrant and shameful human rights violation. Governments and we as politicians together have a key role to play in achiev-

ing this goal. Adopting adequate national legislation that is aligned with human rights standards, a national action plan to combat violence against women and the financial resources required to implement that action plan would be a good starting point on this journey.

As men who care about the women in our lives, we can take responsibility to help ensure that women live free from fear and violence. We must not remain silent. We must pledge to challenge the men around us to act to end the violence. In the Yukon we are fortunate to have centres like Kaushee's Place, the Victoria Faulkner Women's Centre in Whitehorse, Dawson City's Women's Shelter and the Help and Hope for Families Society in Watson Lake. We would like to thank the staff, front-line workers, counsellors and volunteers for providing confidential shelter, support and advocacy for women and children in crisis — for providing hope. I encourage Yukon men to step forward and sign the postcard pledge. Let's all work together to change our attitudes and behaviour and take a stand to end violence against women.

Thank you, Mr. Speaker.

Mr. Hardy: Once again, every year, we rise and make these little pledges. Every year, we see the stats and they are no better; if anything they are worse. We really have to wonder if doing a tribute has much bearing if we are not out in the public challenging the plague, the attitude, the abuse that affects our society in regard to abuse.

I rise on behalf of the NDP caucus to pay tribute to all those men who today are wearing a white ribbon to commemorate the International Day for the Elimination of Violence Against Women. This campaign lasts until December 6, as my two colleagues have previously said, where we recognize a day in remembrance and action on violence against women. I'd like to remind everybody that this campaign must be 365 days a year, year after year, until it is stopped.

Men who wear this white ribbon take responsibility for speaking out against violence against women. They pledge never to commit or condone any kind of violence. They show concern for all kinds of violence and abuse — physical, psychological, financial or emotional. They themselves, each man, must own up to his own past when they have committed violence or abuse — psychologically, physically, financially or emotionally — to clear the slate so they can speak clear. I heard the figure just mentioned by the Member for Vuntut Gwitchin who said 70 percent of women face violence. If you think of those numbers, that means there are people within this Legislative Assembly — based on those numbers — who may have done it themselves. I'm hoping that that's not the case, but those kinds of numbers are staggering and they're shocking. When you walk down the street, take a look around you. If 70 percent of women have faced violence, that means many people we walk by on the streets are either the ones who have condoned it or have allowed it to happen.

Now, abuse leads almost always to violence. Many men and women do not realize that they are being abusive in their relationships. The first step toward changing abusive behaviour is to take stock of our own actions, as I said earlier, and some

questions we might ask ourselves include, "When I'm in a relationship, do I always have to be the one in charge, the one controlling others? Do I believe that it's okay for me to behave in a certain way but not okay for my partner? Have I ever forced or pressured my partner to do something against their wishes in order to get what I want? Do I blame my partner for the things that go wrong — for everything that goes wrong? Do I insult and put down my partner?"

These attitudes can escalate until a person may stop their partner from going places or seeing other people. It progresses to pushing, slapping and hitting a partner, or even worse, as we know in our history. If you've been told that the way you treat your partner is abusive or unacceptable, you should take serious note of that comment and make changes within your own life. If none of this applies to you, you can help. You can learn to recognize the warning signs in others. You can offer support to someone you feel is being abused by listening and believing that person. Give the person information about how to leave the relationship, but understand if he or she wants to stay in it. Challenge denial and abusive actions. Don't abandon the person when they don't do what you see is right and logical. Confront the abuser. Name the abusive action, and encourage both to get help.

We should all take responsibility for challenging stereotypes and put-downs. We can stop laughing at jokes or comments that make fun of the opposite sex or other races. We can educate others about the consequences of violence. Abusive and violent behaviour builds fear, not love.

The white ribbon should remind us that violence has no place in any of our relationships, whether that relationship is with a spouse, a child, or in the workplace.

Speaker: Thank you. Are there any further tributes?

Introduction of visitors.

Returns or documents for tabling.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Horne: I have for tabling the Yukon Judicial Council annual report for 2008.

Speaker: Are there any further returns or documents for tabling?

Are there any reports of committees?

Petitions.

PETITIONS

Petition No. 9 — response

Hon. Mr. Hart: I rise today to respond to Petition No. 9, which petitions the Legislative Assembly to not allow any building development in Minto Park in Dawson City.

This government is on record about its interest to expand access to acute care in the Yukon. We have demonstrated our intention to put these words into action by asking Yukon Hospital Corporation to construct and operate two new hospitals, one in Watson Lake and one in Dawson City. The vision is that these facilities will allow many Yukoners to receive overnight

and hospital care closer to home, rather than requiring everyone to travel to Whitehorse for such care.

The desire for care closer to home is a recurring and strong theme during discussions and consultations about health care. It is a theme voiced by Yukoners young and old, and by individuals, families and communities. Our government is prepared to take reasonable steps to respond to that desire.

In Dawson City, the plan is to build a new hospital on the Minto Park playground land and then to have a second phase that would entail building a continuing care seniors facility where the current health centre is. This makes good sense as a way to stage the work and to make the best use of the land available. The land in question is Yukon government land. The land has been leased by the City of Dawson for many years. It is adjacent to the current health care centre. This site has been earmarked for a health care facility for quite some time. The site has been determined to be the most suitable to accommodate the planned new hospital and continuing care facility. The land suitable for such a facility is in short supply in Dawson City. A new playground for the community's children will be created in another location once determined by the City of Dawson.

The City of Dawson stated its clear support to proceed with the planning of the new health care facility on this piece of land. A letter from the Mayor of Dawson City to the Deputy Minister of Health and Social Services, dated November 8, 2008, states that the City of Dawson is, and I quote: "... pleased to hear about your proposed project and are willing to relinquish the lease on the land up to the end of and including the playground." The letter continues that this boundary ensures enough room for the Dawson City Music Festival, baseball and other park activities.

For all these reasons, our government has informed the Yukon Hospital Corporation that the Yukon government is only willing to pursue the location of the new facility on this site. Considerable time and costs have been expended already to develop the plans for the facility on this site, making it unreasonable to consider options now for relocating it to another site.

As stated in my letter to the chair of the Yukon Hospital Corporation on November 9, 2009, the Yukon government is firmly committed to providing an increased level of acute care in the Yukon during the current government's mandate.

Should the municipality choose not to support the hospital project in its current location as planned, I think this may well set back our ability to complete this project for a considerable length of time — to say nothing of the increased cost and undue waiting for the citizens of Dawson.

As an interesting link to history, Lady Minto, the wife of Lord Minto, helped established 43 cottage hospitals in remote parts across Canada in the early 1900s. It therefore seems fitting that part of the Minto Park would now support a hospital in Dawson City. This government is committing to provide quality health care to Yukoners and to establish a hospital in Dawson City is more action toward that commitment.

Petition No. 10

Clerk: Mr. Speaker and honourable members of the Assembly, I have had the honour to review a petition, being Petition No. 10 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Lake Laberge on November 24, 2009.

The petition presented by the Member for Lake Laberge appears in two forms. The first is addressed to the Legislative Assembly, contains a prayer and concludes with the following request: "Therefore the undersigned ask the Legislative Assembly to ensure that every Yukon resident continue to be able to receive CBC Radio on an AM or FM frequency."

The second form of the petition contains only the request. The wording of the request in both versions is in all regards identical; however, the request is vague. It is not clear that it falls within the powers of the Yukon Legislative Assembly, as enumerated in the *Yukon Act*, given that broadcasting regulation is a responsibility of the Parliament of Canada. On the other hand, the petitioners do not clearly ask the Legislative Assembly to act outside its powers under the *Yukon Act*.

Whenever the Assembly has given consideration in the past to the rules governing petitions, the clear indication received is that in cases where there is doubt, the Assembly would prefer the benefit of that doubt be provided to the petitioners.

Therefore, it is found that this petition meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Speaker: Petition No. 10 is accordingly deemed to be read and received.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges all Members of the Yukon Legislative Assembly to make this Assembly work better by:

(1) respecting the Standing Orders of the Yukon Legislative Assembly;

(2) participating in and supporting the work of the standing committees of the Yukon Legislative Assembly and the select committees that have been established or will be established;

(3) practising proper decorum in the House;

(4) providing factual information within its proper context that promotes better public understanding of issues; and

(5) engaging in constructive dialogue that will advance the important business of Yukon people.

I also give notice of the following motion:

THAT this House urges all governments in the Yukon to improve the quality of life of seniors and the disabled by addressing accessibility issues and providing facilities, programs and services to the extent possible that promote a healthy and active lifestyle.

I also give notice of the following motion:

THAT this House urges the Liberal-dominated Senate of Canada to allow passage of Bill C-6, *An Act Respecting the Safety of Consumer Products*, in order that the Government of Canada will have the legal authority to recall products made in Canada that have a safety problem, such as baby cribs.

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

THAT this House urges the Government of Yukon to continue to respond to violence against women in Yukon by:

(1) funding emergency shelters like Kaushee's Place and Help and Hope for Families Society in Watson Lake, which have received increased funding with a three-year commitment;

(2) working with women's organizations to increase the number of second-stage housing units available in Yukon;

(3) increasing affordable family housing units, including the new Whitehorse affordable family housing project in Riverdale;

(4) implementing a priority social housing policy by Yukon Housing Corporation for individuals leaving abusive relationships and seniors from rural Yukon who require relocation for medical reasons;

(5) funding the prevention of violence against aboriginal women fund, which this government doubled from \$100,000 to \$200,000 annually;

(6) examining options for increasing the effectiveness of the women's equality fund, which was increased to provide three-year sustainable funding for women's organizations;

(7) addressing domestic violence through the Domestic Violence Treatment Options Court, which works to provide a more innovative response to the issues of domestic violence through court-supervised treatment for offenders;

(8) offering Our Way of Living Safely to assist children who are exposed to domestic violence;

(9) offering the VictimLINK crisis line in partnership with British Columbia;

(10) implementing the victims of crimes strategy, which includes focusing on addressing violence against women;

(11) helping women explore career options in the trades by supporting Young Women Exploring Trades, which is an annual day-long forum within which grade 8 and 9 girls, Yukon wide, participate in a full-day workshop creating things that teach them skills in up to nine different trade areas and supporting the Trades Exploration and Preparation for Women, which is a six-week introduction to trades at Yukon College that promotes to women the benefits of trades careers and also provides opportunities for women interested in career development;

(12) seeking new opportunities to help women explore careers in non-traditional fields such as that of a corrections officer; and

(13) building Yukon's economy so that more opportunities exist for meaningful and rewarding careers.

I also give notice of the following motion:

THAT this House urges resolution of the existing Canada/U.S. boundary dispute in the Beaufort Sea in a timely man-

ner and that Canada commit to inform Yukon of any developments regarding resolution of the boundary dispute.

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

THAT this House echoes the sentiments of many Yukoners who find it very annoying to open their mailboxes and find partisan propaganda from federal Conservatives such as Chuck Strahl, Peter Van Loan, Peter MacKay, Vic Toews and others — none of whom live in the Yukon — paid for by the taxpayer; and

THAT this House encourages Yukon Conservatives to tell their political allies to quit wasting paper and exploiting loopholes in the *Elections Act*.

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

THAT this House urges the Yukon government to ensure that the palliative care program in the Department of Health and Social Services continues to operate beyond the termination of the funding from the Government of Canada, and that its services are expanded to include direct care of palliative patients.

I give notice of the following motion:

THAT the Yukon government consider implementation of a guaranteed minimum income allowance for all Yukon citizens which would:

(1) expand human dignity;

(2) end poverty;

(3) build society with productive citizens;

(4) save on the costs of hospitals, prisons and police work where the poor are over-represented;

(5) produce real savings; and

(6) mean less waste and more productive use of taxpayers' money.

Speaker: Are there any further notices of motion?

Hearing none, is there a statement by a minister?

Hearing none, this brings us to Question Period.

QUESTION PERIOD

Question re: Asset-backed commercial paper investments

Mr. Mitchell: I have some questions for the Minister of Finance. Later today we will be debating a motion of non-confidence in this government. We can no longer, in good conscience, support this government and we hope all members of the House will vote with their conscience later today.

One of the reasons Yukoners have lost confidence in this government is the Premier's decision to invest in \$36-million worth of asset-backed commercial paper. That investment broke the *Financial Administration Act*, according to the Auditor General of Canada. The Premier and the Deputy Premier repeatedly told this House that that investment was guaranteed by a bank and the Auditor General confirmed it was not.

The public accounts released last month confirm the government has written down this investment by close to \$11 million, almost a third of its initial value. Does the Premier think

this type of investing fiasco inspires confidence in this government?

Hon. Mr. Fentie: Herein lies the problem. Once again the Leader of the Official Opposition has made statements in the House that we must correct. The value of the notes, after a long and arduous process by many, including governments and the courts, have restructured the notes. Those notes that the Yukon has and retains today are at full value, as the public accounts clearly demonstrate. The member has said this is a writedown of the principal. It is not. It is an interest earnings adjustment and the fact of the matter is the notes have earned the Yukon a positive return.

Mr. Mitchell: Mr. Speaker, the Premier is in denial and he misrepresented — no doubt accidentally — what I said. He didn't refer to just the principal. The public accounts say "valuation adjustment" and it adds up to \$10,797,000 of downward adjustment.

Mr. Speaker, when you invest \$36 million for 30 days and you can't get it back for eight or 12 years, it doesn't inspire confidence in the government. Worse yet, the government has been forced to value these investments down by almost \$11 million. The public no longer trusts this government, and this is one of several big reasons why.

The Deputy Premier was given several opportunities in this House to stand up for taxpayers and admit that this investment was a bad idea. What did she do? She backed the Premier. They're all in this together.

One Canadian company sold the same investment we hold for only 28 cents on the dollar this summer, now that they have finally resumed trading in their restructured format. When is the Premier going to take responsibility for this bad investment and admit he made a mistake?

Unparliamentary language

Speaker: Before the Hon. Premier answers, the Leader of the Official Opposition leaves me no choice but, of course, to get in on the word "misrepresented". The member caught himself, but no member can think that they can use that type of terminology.

You have the floor, Hon. Premier.

Hon. Mr. Fentie: Once again, I must try to assist the Leader of the Official Opposition in dealing with this matter, as we do on many matters.

The fact of the matter is, Mr. Speaker, he is referencing the selling of investments well in advance of their maturity dates. That's not something the government is doing at all. That's pretty clear. Also, the public accounts, once again — at the risk of being repetitive — demonstrate the full value of the notes at maturity. Furthermore, the investments have earned the Yukon a positive return, well in excess of a million dollars so far — and in our total investment package, well in excess of \$17 million.

Now, the member keeps referencing "confidence". I think the public deserves some confidence from the Official Opposition. During elections they will demonstrate confidence or non-confidence in any one of these members in the House, but

surely we can do the public the service that they deserve to allow them to at least cast the ballot.

Mr. Mitchell: This Premier can come up with as many excuses as he wants, right up to the dog ate his homework, but the public accounts say that they're carrying \$25,510,000 on the books — that's a fact, Mr. Speaker, and he can't dodge it.

This Premier said that we're going to get all our money back. Instead, the investment is being carried; it's written down by almost \$11 million. The Premier said he respects the Auditor General and then when she ruled against him, he tried to dismiss it as "just her opinion". Yukoners have had enough. They want their money. They want the Premier to admit he made a mistake and they want the Deputy Premier to explain why she chose to back the Premier instead of looking out for taxpayers. The Premier and Minister of Finance should have resigned over this — it is about integrity.

Will the Premier at least apologize for not following the *Financial Administration Act*, for being asleep at the switch?

Hon. Mr. Fentie: What I will do, Mr. Speaker, is apologize on behalf of the Official Opposition for conduct unbecoming our standard of office.

Let me repeat for the member opposite: at maturity the investment will be worth \$36.3 million; there is no actual loss. The interest earnings to date on these particular investments are in the neighbourhood of \$1.8 million.

I cannot understand the methodology the Leader of the Official Opposition uses to turn a \$1.8-million earning into a loss; nor can I understand the methodology the Leader of the Official Opposition uses to reference investments by the government in total earning well in excess of \$17 million — that's "earning", not "loss" — and in the minds of the Official Opposition and their leader is a loss to the public.

The investments to date that the Yukon government has made have earned the territory millions and millions of dollars, which we are putting to good use. The confidence of the matter is the fact that this government has managed the territory's finances in a way so we have dramatically increased the quality of life and well-being of Yukoners.

Question re: Poverty in Yukon

Mr. Mitchell: Yukoners are familiar with this Yukon Party government's blunders. It's hard to miss when the Premier tries to privatize Yukon energy from the corner office. It's obvious when ministers don't take responsibility for their departments and neutral processes are directed by political interference. When the government endangers \$36 million of taxpayers' money, everybody knows about it.

Yukoners aren't only going to judge this government based on its obvious missteps; they are also going to judge it on the actions it has failed to take. In seven years, this government hasn't made real progress against poverty and homelessness in the Yukon. There have been plenty of initiatives and I'm sure the government members could recite a list of them, but no real actions. After all this time, what has this government actually done that has reduced poverty and homelessness?

Hon. Mr. Fentie: You know, Mr. Speaker, once again the government side tries very hard to maintain a standard of

conduct in this Assembly that is an obligation of us all. But here again we have statements by the Leader of the Official Opposition about poverty. Let me remind the Leader of the Official Opposition that each and every budget for the past seven years that had elements of investment dramatically improving access to affordable housing — and that's a large investment — the issues of social inclusion, the increase in SA and other factors like addressing our seniors' needs through an increase in the pioneer utility grant and indexing it, taking care of daycare and increasing those investments, and the list goes on — the member opposite and his colleagues voted against those investments.

Who really is doing nothing about poverty? Instead of offering alternatives here in this House — clear and constructive options to deal with poverty and homelessness in this territory — the Official Opposition is going to debate some amateur-hour motion.

Unparliamentary language

Speaker: Yes, the Chair has trouble with the characterization of an “amateur-hour motion”, Hon. Premier. That's out of order, so please don't refer to that again.

Mr. Mitchell: This Yukon Party government has enjoyed the perks of being in power for seven years. In the meantime, the situation of hundreds of Yukoners living in poverty hasn't changed. Last month, the government announced that it will be starting work on a social inclusion strategy. It didn't announce that it was taking action on social inclusion; it didn't say it has a social inclusion strategy; it said that after seven years, it will start work on one. If Yukoners living in poverty can hold on long enough, there might be some draft document a year from now discussing their situation.

Yukon Party policies like this have been so effective that private individuals have had to pick up the slack in the meantime and open a food bank. Five percent of Whitehorse residents are now relying on that food bank monthly to feed their families.

Why hasn't this government taken real action on poverty in the Yukon? Why have they waited until 1,200 people a month are lining up at the food bank?

Hon. Mr. Fentie: I did just moments ago list the number of investments, policy initiatives and other instruments the government has undertaken to address poverty, and there's more that we are doing. The real question here is, what is the Official Opposition offering Yukoners when it comes to dealing with poverty? What they offered and provided Yukoners was to oppose any initiative in the last seven years that addressed these areas of poverty and homelessness for Yukoners. That's what they've offered Yukoners.

Today, the Official Opposition believes that their motion, as they've tabled it, has the highest priority for the Yukon public. That's the business of the Official Opposition. All we can say and the conclusion we come to is that the only offering they have for the Yukon public is the motion they've brought forward for today's debate.

Mr. Mitchell: A motion that will be debated later today is to give Yukoners a chance to vote for a government that will take action instead of deferring action.

Other than sending out press releases about planning to plan to combat poverty, this government hasn't made a dent. As a result, Yukoners live with poverty. They live with homelessness while the government denies it exists. They live with violence and they live with hunger.

After seven years of Yukon Party government, hundreds of people are using the food bank every month. That is a fact, Mr. Speaker. The best this government can offer Yukoners is a promise that at some point in the future it will try harder. It is not good enough, Mr. Speaker. What are Yukoners living in poverty going to do while this government stands idly by?

Hon. Mr. Fentie: You know, Mr. Speaker, we have come a long way from when the government of the day dealt with poverty by making sure that there were enough U-Haul trailers in the territory to load their worldly possessions and head out of the Yukon Territory. The mass exodus of the Yukon population was a clear example of what the former Liberal government did about poverty. We have turned that around dramatically, Mr. Speaker.

All we have to do is look at what has transpired over the last seven years and every initiative the government has brought forward. Every initiative addressing poverty, the economy, the environment, the social side of the ledger, correctional reform, educational reform, building a better quality of life, investing in our communities, investing in infrastructure — Mr. Speaker, everything that we have done as a government as far as the public business is concerned has been opposed by the Official Opposition.

Unfortunately, Mr. Speaker, they still continue down that road while others in this House are actively working on what is priority business for the Yukon public. I think that clearly demonstrates the contrast between the government side, the Third Party, and others in this House who have a totally different view than the Official Opposition in what is in the best interests of the Yukon public. The government will not be deterred; we will continue.

Question re: Climate change

Mr. Hardy: On the day of climate change motion debate on Monday, there was news in *The Guardian* that a massive ice shelf in Antarctica is melting. This has called scientists to reevaluate the time frame and the extent our seas will rise. Though there are an abundance of self-serving skeptics, there really is no debate any more about climate change and the impact it's going to have on our planet. Actually, I'll correct that: the debate really is whether we, the human civilization on this planet, have tipped the balance too far to the point of no return.

We can talk about a lot of issues in this Legislative Assembly. We can find a lot of issues that we need to discuss that are extremely important for our society and the operation of our society, but ultimately, we won't have anything if we don't have a planet to live on. So we must transform to a low-carbon economy. Does the government share this view?

Hon. Mr. Fentie: Well, I think in generic or general terms, the government's view has clearly been articulated in

our climate change action plan. We first went out, by the way, with extensive consultation with the Yukon public, with experts, with representative groups, with conservationists, environmentalists and others to have their input be part of the climate change strategy that has been developed here in the Yukon, collectively.

The climate change strategy has then resulted in the development of a climate change action plan. There are elements of that that address the issue of carbon output and emission and other greenhouse gas emissions. But it also includes the need for adaptation, research and, of course, one of the things we are clearly demonstrating is our investments toward renewable energy, greener energy, and the efficiencies that we can glean from investments in technology, improved appliances and types of construction underway here in the Yukon to be more efficient in our use and conservation of energy. So there are a number of initiatives underway by the government here in the Yukon that demonstrate clearly we are doing our part. Globally, however, much more must be done.

Mr. Hardy: Mr. Speaker, you know, we have a poverty of action from world leaders, from countries, from provincial leaders and territorial leaders in this regard.

I've read through the government's climate change action plan and it includes a lot of nice big photos. Frankly, it's impressive in how it was presented, but it's not impressive in what it's going to do. This government has not yet done an inventory of major greenhouse gas emitters. This government has not yet set a target for greenhouse emissions. This government has not yet introduced a carbon tax or a cap-and-trade policy. This government is still focused on studies — as we already heard — while the ice caps and glaciers continue to melt, the seas continue to rise, the deserts continue to expand, an average global temperature continues to increase and people are starving.

Here's a question. Has the government undertaken an extensive study of the transportation sector and recommended options to reduce emissions, develop incentives for fuel-efficient transportation or looked into establishing a Yukon-based carbon offset —

Speaker: Thank you.

Hon. Mr. Fentie: Mr. Speaker, first off I want to be very clear: this government's position is no to carbon tax, and I don't think there's any dispute about that.

We are on the public record — our position is no to carbon tax. In fact, the challenges we face north of the 60th parallel result in our overall costs being much higher than elsewhere, plus much of our needed daily supplies and goods have to be transported in. Can we always improve in those areas? Yes.

We do focus on areas that we can address now. Investment in a third wheel at Aishihik, investment in transmission line extension to Pelly, and the Mayo B investment is reducing Yukon's carbon footprint by literally thousands and thousands of tonnes per year. I think that's a demonstration of our commitment to it.

However, Yukon's overall emissions as they relate to the melting of the Arctic icecap and the expansion of deserts, are

very minimal. That's why the government also understands the global community must do much more.

Mr. Hardy: This is unbelievable, Mr. Speaker. This is the single greatest challenge our civilization will ever face and we continue to dither. There's no party on the Canadian political landscape that is calling for the fundamental transformation of our society and economy that this climate emergency calls for. No party — I don't care what they call themselves — no party out there has gone far enough in any statement about the crisis that we are facing in this world today.

We have a delegation going to Copenhagen and they will be standing next to other politicians from other parties around the world. Frankly, no one there is going to be doing enough; there is no question about it. We are going to have to have a major crisis — a complete collapse of our ecosystem — in order for something to actually happen. Is that planning?

Mr. Speaker, will this government send the strongest possible message to all the governments attending the Copenhagen meeting that decisive actions are needed now — rich, poor, big, small, old or new.

Hon. Mr. Fentie: Yes, Mr. Speaker. In fact, I believe that is exactly what the minister responsible for the Department of Environment will be doing in Ottawa as we speak. She will clearly present to our federal minister the position of the Yukon and the fact that Yukon as a subnational government and is doing everything it can do but, as I said, the global community — and that means national governments around the world — must do much more.

I share the Leader of the Third Party's concerns and have for some time. We all know the very visible impacts that we are experiencing here in the Yukon, and that's something that adaptation is intended to address, but there is so much more that must be done overall. Our message will be that the global community had better do its part. As quickly as possible, we must find ways and measures to deal with this global phenomenon.

Question re: Lake Laberge road improvements

Mr. Cathers: I have a question for the Minister of Highways and Public Works about highway intersections. Earlier this year, I wrote to the minister regarding safety at the intersections of the Mayo Road, or north Klondike Highway, and two secondary roads — the Shallow Bay Road and the Deep Creek Road. I asked the minister to have his department look at putting in turning lanes at those two intersections. In response, he indicated that he agreed that turning lanes should be constructed. Will the minister indicate when Highways and Public Works is planning to proceed with these projects?

Hon. Mr. Lang: We are committed to work on the Mayo intersection, and that would be a project that we project for this coming summer. The Deep Creek Road is an issue. There is funding in place and plans are in progress, so it's work in progress. Both of those intersections will be addressed in the near future.

Mr. Cathers: I'm not sure whether the minister was attempting to respond to my question about the Shallow Bay Road intersection in his first response or about the Mayo Road/Alaska Highway intersection, which I've also raised with

him previously. If he would clarify that in his response, I would appreciate that.

I also wrote to the minister regarding the intersection of the Boreal Road, which is the road into the new Miners Ridge subdivision and the north Klondike Highway. When I raised the matter with him, he indicated that the department at that time did not intend to build turning lanes but did intend to lower a hill to improve visibility. However, when the new subdivision was being planned, the plans did call for turning lanes to be constructed at this intersection. Will the minister agree to reconsider my request for turning lanes at this intersection and to have the department review the safety at this intersection and provide an update once they have had an opportunity to do so?

Hon. Mr. Lang: In responding to the member opposite, the department is monitoring that and looking at it. It's something that we would look at if it were necessary to do the work there to make it safe for the individuals who live in that area. They are monitoring as we speak.

Mr. Cathers: Mr. Speaker, several years ago, the Department of Highways and Public Works moved the south entrance to Couch Road to bring this intersection up to the Transportation Association of Canada standard for visibility on on-coming traffic. Since that time, new houses have been built in Hidden Valley, 20 new lots have been created in the new Miners Ridge subdivision and more residents are living on the Hot Springs Road and down the Takhini River Road.

The increased population results in increased traffic and will soon be added to by traffic from the 30 new lots the Ta'an Kwäch'än First Nation is building on the east side of the north Klondike Highway. That road is right between the two entrances to Couch Road, on the opposite side of the road, and is located on a curve.

Will the Minister of Highways and Public Works agree to have staff review the safety of the two entrances to Couch Road and to consider the possibility of installing turning lanes at these two intersections?

Hon. Mr. Lang: That's another project on the radar screen for the Department of Highways and Public Works. We are monitoring that, understanding that the 30 lots have not been sold yet. We are concerned about that and are monitoring it.

Question re: Government accountability

Mr. Mitchell: Yukoners have endured this government for too long. This is about integrity and Yukoners deserve the opportunity to decide for themselves. This is the government that condoned secret negotiations to mortgage our energy future. This is the government that politically interfered with the independent Peel Watershed Planning Commission. This is the government that lost public money on questionable investments. This is the government that makes irate phone calls to public servants. This is the government that would rather litigate than negotiate with Yukoners. This is the government that can't bring a construction project in on time and within budget — enough is enough. When is this government going to call an election?

Hon. Mr. Fentie: I guess that is the member's question. He's obviously quite anxious about going to the polls, although I would caution the member that that might not be in the member's best interest, all things considered.

Mr. Speaker, the government will call an election when it is required to. Our mandate extends into the fall of 2011. We still have much work to do. Unfortunately, the member might not like my answer, but we will call the election when we are required to and we will continue to do our work as elected to do. Hopefully, the Official Opposition recognizes that they were elected to do some work too.

Mr. Mitchell: Mr. Speaker, the Premier's answers are to the Yukon public and not to me. It is them that won't like the answer. Mr. Speaker, we have heard this all before, too many times. This Yukon Party government has lost the public's trust. Yukoners don't want a government that morphs a \$5-million community health centre into a \$25-million scandal — not once but twice. They don't want a government that forces Yukon francophones and First Nations into court just to settle a difference of opinion.

Yukoners don't want a government that hides the details of its spending by off-loading its financial management responsibilities to the Hospital Corporation. Yukoners have lost trust in a government that stifles debate in the Legislature and for seven years has failed to address issues of poverty and homelessness. Mr. Speaker, that's this government and it's time to put a stop to it. Yukoners want an election and have been saying so loudly.

When will this government call an election and face the Yukon public?

Hon. Mr. Fentie: I'm going to have to disagree with the Leader of the Official Opposition about what Yukoners want. The member has again gone into a long dissertation of issues and statements that simply aren't reflected in the facts. What this government has done is turn the Yukon economy around. What this government has done is increase the fiscal capacity of the Yukon by some \$500 million plus. What this government has done — through the efforts of our ministers, like the Minister of Economic Development — has dramatically increase the private sector investment in such areas as our mining sector by hundreds of millions of dollars. This government has provided a very strong emphasis and social conscience when it comes to social issues in addressing poverty, affordable housing, our seniors and our health care system.

What this government has done is take the bold steps toward educational reform. What this government has done is take the bold steps toward correctional reform. What this government has done is build up a diverse economy, including arts and culture, film and sound, research and development and information technology. That's why Yukoners are quite pleased to have this government in office.

Mr. Mitchell: What this government has done is run aground. The Premier signed a letter a year ago that committed this government to negotiating an energy privatization deal. In the face of this hard evidence, the Premier stands in this House, day after day, denying reality. It is no wonder that this government has lost the trust and respect of so many Yukoners. It is

no wonder that this government is frightened by the prospect of letting Yukon voters decide their fate through an election.

Mr. Speaker, this government has relentlessly destroyed the faith and trust of their own political supporters, our community leaders, and even their own Cabinet colleagues. This government is done and they know it. It's time to let Yukoners decide. When will an election be called?

Hon. Mr. Fentie: Once again, the Leader of the Official Opposition and the government side will disagree. We're far from done. In fact, we are continuing to do the job we were elected to do. Unfortunately, the member opposite is actually the member who wants an election. I think, for good reason, the member wants to be the Premier, but the last time the member tried to attain the office of Premier, the member was not successful. Maybe that's what's agitating the Official Opposition.

The government has considerable time left in its mandate and it will continue to do the work we are responsible and obligated to do. Until the Yukon public hears any logical or reasonable alternatives coming from the Official Opposition, that will be the last party they vote into office.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 844

Clerk: Motion No. 844, standing in the name of Mr. Mitchell.

Speaker: It is moved by the Leader of the Official Opposition

THAT this House has lost confidence in the Premier and in his capacity to govern.

Mr. Mitchell: Yukoners have lost confidence in this government and we believe Yukoners should be given the opportunity to go to the polls in the near future. That is why we are bringing this motion forward today. Yukoners are demanding it. They have had enough of this government.

Now I am going to lay out for Yukoners today our case for why we in the Official Opposition have lost confidence in the Yukon Party government, because it reflects what we are hearing from people in the ridings we represent and from people across the territory every day. We know this government has lost the public trust and Yukoners deserve an opportunity to elect a government they can trust.

Mr. Speaker, my remarks today are largely going to focus on three episodes that have brought us to this decision. It is a decision we do not take lightly and it is one that we cannot in good conscience avoid making. The first issue is the Premier's decision to invest \$36 million in asset-backed commercial paper in contravention of the *Financial Administration Act*. The second is the Premier's decision to politically interfere in the Peel Watershed Planning Commission process. Last, but cer-

tainly not least, is the Premier's decision to engage in secret negotiations to privatize our energy future. Taken together, they make a powerful case for why this government should be removed from office.

In each case, the reaction by the rest of the government MLAs is as important as the issue itself. In each instance, MLAs have backed the Premier and endorsed his way of doing business. I will speak in more detail to those three issues later today.

First, Mr. Deputy Speaker, let's look at the potential outcomes of today's debate. If the motion today is defeated, the government will simply carry on. Yukoners will wait for their opportunity to cast judgement, which will eventually come. If the motion is carried, what does it mean? Canadian precedent would indicate that a government losing a vote on an unambiguous motion of non-confidence would have to seek the dissolution of the Assembly.

The question before us today is clearly unambiguous and the outcome is obvious. In plain language, that means an election. Looking at the calendar, an election called tomorrow would have Yukoners going to the polls on December 29. It would be quite a Christmas present to Yukon voters, a chance to vote out a government they no longer trust. But of course, it doesn't have to happen that way. If the Premier loses the confidence of the House, he tells the Commissioner that is the case and when he wants the election to be called.

Of course, there is nothing that dictates the Premier must go immediately to visit the Commissioner — neither today nor tomorrow, nor even next week — if this motion is successful. A more likely scenario would see a writ issued in January, followed by an election in February.

In 1989, Yukoners went to the polls on February 20. It's not ideal timing, but it is what it is. We have heard from hundreds of Yukoners who want an opportunity to choose a new government. We know that all members in this Assembly have heard this from Yukoners. We believe they will see this as an opportunity, not an inconvenience. The mandate of the current government is five years. In previous Yukon elections the mandate was four years. That changed when the *Yukon Act* was last amended. A fifth year was added to the mandate of the Government of Yukon to bring us in line with several other Canadian jurisdictions.

What are the government's plans for the timing of the next election? Probably only the Premier knows and even he may not have yet made up his mind, but it is clear that the government is in no hurry to face voters now. We constantly hear from the Premier that we should be careful what we wish for. Well, it's clear that it's not what the Premier is wishing for or he would take up the challenge and let Yukoners decide.

It was not a good summer for the other side of the House and in their heart of hearts they know that. They probably won't admit it today, but if they were on solid ground they would not be reluctant to meet with the Commissioner and face the electorate. Are they planning to hold on until the bitter end — October 2011? Hundreds and hundreds of Yukoners we have spoken with don't want to wait that long. They want an

opportunity to pass judgement on this government now. An election is the only way to restore public trust.

Later today, we will outline three high-profile examples of things that the government has done — bad investments, political interference and trying to sell our publicly owned energy system. There are also a number of important issues that have been overlooked by this government during its time in office.

When I spoke to a local radio station earlier this week, I put it this way. We believe that Yukoners have lost confidence in this government, not only because of such actions by the government as the interference in the Peel planning commission, the Premier phoning up and berating senior officials when he disagrees with the work they're doing, the privatization plans that started in the corner office of the Premier, but also for the things they haven't done — for their failure to build better relations with our self-governing First Nations, for their failure to move forward in seven years.

They are just now working on anti-poverty strategy and yet we know that poverty and homelessness has existed throughout their two terms in office in Yukon. Why is it taking them so long? We have to wonder why 1,200 people — five percent of Whitehorse's population — are currently forced to make use of the food bank. That is a failure of Yukon Party policies. We think it is time to express that in the House formally on behalf of the many many Yukoners who have expressed it to us.

We have seen deterioration in relations between this government and First Nation governments under this government's watch. Hardly a week goes by without a Yukon First Nation chief decrying the state of the relationship between the government and their First Nation. This government's preferred course of dealing with First Nations is in front of a judge. This government is currently spending hundreds of thousands of dollars fighting other Yukoners in court. There is the long-standing battle with the Little Salmon-Carmacks First Nation, which has now reached the Supreme Court of Canada, and several other instances, such as the dispute over the airport expansion, which have landed in court because of this government's inability to work with self-governing First Nations.

On the social side of the ledger, as the Premier likes to call it, this government has failed the least fortunate in our society. Battling poverty and homelessness has never been high on this government's list of priorities; it has always been about projects, not about people. In seven years, this government hasn't done the real hard work of dealing with poverty and homelessness in the Yukon. There have been plenty of initiatives, and I'm sure the government members can and may recite a list of them, but not effective action. The situation of Yukoners living in poverty hasn't changed. Last month, the government announced that it will be starting work on a social inclusion strategy. It didn't announce that it was taking action on social inclusion; it didn't say it has a social inclusion strategy that it has developed over the past seven years — it said it will start work on one and if Yukoners living in poverty can hold on long enough, there may be a draft document later next year discussing their situation.

Yukon Party policies like this have been so effective that private individuals have had to pick up the slack and open a

food bank. Five percent of Whitehorse residents are now relying on that food bank to help feed their families, Mr. Speaker, and that cannot be acceptable to this Assembly. Why hasn't this government taken real action on poverty in the Yukon? Why did they have to wait until 1,200 people a month were lining up at the food bank? And this is at the end of a period of time when the government likes to talk about how excellent the economy is doing, and yet five percent of Yukoners in the City of Whitehorse are in food lines.

Other than sending out press releases about planning to combat poverty, this government hasn't made a dent. As a result, Yukoners live with poverty and homelessness. The best this government can offer Yukoners is a promise that at some point in the future it will try harder — that's not good enough.

Mr. Speaker, over the past few years we have seen groups of Yukoners — teenagers, adults, senior citizens — come together to try to convince this government that there are youth at risk, that there are homeless youth and there are youth who don't have a safe place to spend the night. This government has persisted in saying, "We need to study it. We need to determine how many young people there are that are at risk." They are looking for the numbers, Mr. Speaker. The reality is that they exist. We have seen them out on the steps in front of the Elijah Smith federal building trying to make their case and trying to convince this government that this is happening.

We have seen the Member for Whitehorse Centre come to those demonstrations. I've seen the Member for Mount Lorne speaking out. I've seen the Mayor of the City of Whitehorse and city councillors coming out. The government has been missing in action. The government sends representatives — sends officials to meetings to say, "We need to figure out just how many of you there are." It's a numbers game to the government. Is it a big enough number for them to take notice? It's shameful, as the Member for Kluane says.

A few weeks ago, the Member for Kluane brought forward a piece of legislation called the *Yukon Energy Corporation Protection Act*. It was a very straightforward bill and would have prevented this Premier from following through on his plan to privatize Yukon's energy future. It would have prevented any government from privatizing our public energy corporation. And we know that that plan, at one point, included selling some of the existing assets of the Yukon Energy Corporation, and we know that it looked at giving away future assets to Outside companies to own and invest in, rather than our public corporation. This bill would have prevented that from happening.

What did the Premier do? He shut down debate on that bill. He didn't vote against it because he didn't want to be on the record voting against it. Instead, he adjourned debate and took it off the table. This is a very undemocratic way to approach government and it's an approach that we've seen this government use in the past.

A couple of years ago, we brought forward amendments to the *Human Rights Act* and the Premier did the same thing. The Member for Porter Creek South brought forward amendments that would have improved the act and the Premier shut down debate. This inability to listen to other points of view runs right

through the government. The Member for Lake Laberge referenced it when he quit on this Premier this summer. He said that the Premier has a growing lack of willingness to tolerate other people's opinions. He also cited the Premier's tendency to resort to bullying behaviour. We've experienced that first-hand and so have many public servants — political staff who work for the Premier also know what I'm talking about and so have members of the general public.

We have brought forward other pieces of legislation, such as amendments to the *Cooperation in Governance Act* and a bill to introduce net metering in Yukon. The former was designed to improve consultations with First Nation governments — something that might have headed off some of the lawsuits that have ensued. The latter would have allowed small-scale power producers to sell excess energy from their home or small business back to the Yukon Energy Corporation for a credit on their bills. Both ideas were rejected outright at the time.

When the Member for Kluane tried to move us into the 21st century with net metering — something that is a green initiative — it was shut down. But it's an interesting twist that the government has brought back the idea of net metering to claim it as its own. When it was introduced by the Liberal caucus, it was bad; but apparently when it's introduced by the government, it's good.

The Public Accounts Committee is another example. We know from the former Minister of Energy, Mines and Resources that the Premier ordered the four government members on that committee to go to meetings with instructions to blow it up and scuttle the committee. The former Minister of Energy, Mines and Resources says he was in the room and he heard the Premier's instructions. This is the mindset that has taken hold in the corner office. This is how the government works cooperatively with the opposition. We cannot work with a government that takes that kind of uncooperative approach, that my-way-or-the-highway approach.

This government cooperates only when it wants to and not for the sake of cooperating. There's a big difference, and the public has come to see how this works.

We've had enough of that approach, Mr. Speaker. Before the fall sitting, the Premier was out, busily promising to work cooperatively with the opposition. This Premier has been anything but cooperative in this House over the past several weeks. He has refused to answer questions and he has refused to acknowledge that he was in negotiations to privatize our energy company and that he did in fact interfere in the Peel watershed planning process; instead, we've just heard more denials.

Worse yet, Mr. Speaker, through it all, his colleagues have endorsed that approach; they're all in it together. Now we gave the government an opportunity to answer those questions and they have refused. We could have brought this motion forward on day one. We could have asked for unanimous consent of the House to debate it. We could have brought it forward on our first motion day, but we chose not to because we wanted to see if the government would in fact cooperate, if the Premier's words had any substance, if he turned over a new leaf, if he had seen the error of his ways. The answer has been no.

We know the government doesn't like the situation it finds itself in. We know many of the Premier's colleagues don't want to go on record endorsing his leadership and his behaviour, but that is what they must do today. They must stand and be counted. When the MLA for Lake Laberge quit on the Premier, he said there were other members of caucus who felt as he did, other members on the government benches who felt the same way. Today, we will see just how they vote.

Of course, we hope this motion comes to a vote. There will be plenty of time for all members to be heard and there will be plenty of time in which to hold a vote. It would be a shame if the government tried to talk this motion out and avoid a vote. We can only hope there were no political instructions from the corner office to blow up the vote or stall the vote. Come the next election, we want the public to know how each and every government member voted on this day.

We know some members of the Yukon Party caucus are not that happy about having to stand up and endorse the Premier and the way he has been acting and what that represents. Another way out of this would be to talk out the clock and ensure there's no recorded vote. We hope it doesn't come to that. Or there could be amendments to the motion, which would be in order but would destroy the clear question of confidence. Surely we won't see that.

Mr. Speaker, I want to inform members of the public that for our caucus this is a free vote. In other words, all members are free to vote as they choose on this issue.

It's humorous to some members opposite, because they are not used to that; it is fairly obvious that all members of the Official Opposition don't have confidence in this government — that is certainly what they are hearing from their constituents. It is certainly following up on what they've been hearing from Yukoners over the past few months — that Yukoners want an election. They have seen enough of how this government operates, and they want a chance to choose a government that they can trust.

The Premier throws out that this is about second chances, because we didn't win government the last time around. Well, I say to the Premier, if he is so confident that he is on the right path, then take Yukoners to the polls and give them a chance to see if they want to re-elect this government or not.

Perhaps the first speaker on the government side can tell this House whether the Yukon Party members are treating this as a free vote. Are they voting their conscience? What is their conscience telling them? What are their constituents telling them? Have they been given their marching orders from the corner office on how to vote on this motion, or will they be making their decisions independently?

Another recent episode that has left the public unwilling to trust the current government is the decision to go out and recruit a long-time critic of their government to prop them back up. This individual said he would never rejoin the party because of the differences he had with the Premier. He said he would never allow himself to be bullied. He criticized the government in the years after he left the Yukon Party, recently telling CBC News that he had quit after being told not to challenge the Premier's judgement. He also said a few months ago

that he had no interest in rejoining the Yukon Party caucus, which he described as a hornet's nest.

When the Member for Lake Laberge resigned, the MLA for McIntyre-Takhini chimed in by saying, "The only surprise I had is the length of time it took before something like this transpired." The MLA for McIntyre-Takhini said he decided to leave the Yukon Party after he questioned the Premier on an issue, only to be told not to challenge the Premier's judgement. He said, "I made a commitment many, many years ago that I will not accept abuse from anyone any more." He said, "It doesn't matter what kind of abuse, whether it's mental, verbal, emotional — whatever. I just felt that the Premier did overstep my boundaries."

Well, the Member for McIntyre-Takhini will have an opportunity to stand up for those principles today. These are principles he felt very strongly about just a few weeks ago. When I look at the Member for McIntyre-Takhini, I see a colleague who has struggled with his conscience over his membership in the Yukon Party caucus. I see an MLA who made the difficult decision to leave the Yukon Party caucus because his conscience would not allow him to remain, so I say to the Member for McIntyre-Takhini that he should think hard and make sure that he can live with his decision on this vote. His constituents are listening and watching today — they're looking for leadership from him today.

I'm sure later today we'll get one or more government members on their feet recounting the great record of this government. They will tell us how wonderful things are. They will tell us what a wonderful job has been done and why they deserve to continue governing, and that is about as far as they will go. They will not put that record to the people. If the Premier is so confident of the job that he has done, he should call an election and let the people decide. He can seek another five-year mandate. He doesn't have to wait until that driver's licence expires to renew it. He won't because he doesn't want to hear from the public. He doesn't want to answer for his actions this spring, last winter, this summer, and he won't take that step of answering directly to the public.

Mr. Speaker, I'd like to turn now to the big three, to the issues that I referred to at the beginning of my remarks. I'll start with the Premier's misguided investing adventure. This is a topic that is on the minds of many Yukoners and the Premier didn't even mention it in his budget update this fall. Does he think if he doesn't talk about our \$36-million "misinvestment" into ABCP, people might forget about it? When the asset-backed commercial paper meltdown happened in 2007, companies across Canada issued news releases to update investors about how much exposure they had to this problem. What did this government do to update Yukon shareholders, the taxpayers? Initially, nothing; there was no mention of it at all. The silence was deafening. \$36.5 million — which was then some 20 percent of all our net financial resources — was frozen and the Premier said nothing.

It was not until the public accounts were released later that fall in October that the public was even informed. Even then, it was buried on page 81. The government didn't put out a news release and say, well, we've made a mistake but let us explain

it. They hoped nobody would read through those reports. So much for open and accountable government.

Public companies issued news releases in August; the Premier buries it on page 81 of a report made public in the middle of October. In November 2007 I wrote to the Auditor General of Canada, asking her to investigate the Premier's decision to invest \$36.5 million of Yukoners' tax dollars, of Yukoners' money, Yukoners' future, in the asset-backed commercial paper market. She responded that she would and we do have the results in front of us. We have the report.

The question I asked was simple. Did the investments made by the Premier, the investments authorized by the Premier in his capacity as the Minister of Finance, comply with the *Financial Administration Act*, the law that governs how taxpayers' money is looked after?

The Auditor General concluded the investments in fact violated the *Financial Administration Act*. I believe the Minister of Finance is actually the minister responsible for ensuring that we abide by that legislation — not officials, Mr. Speaker, the Minister of Finance. The buck stops there — or \$36 million stop there.

The Premier is fond of saying the buck stops at his desk. Well, when this buck landed on his desk, he failed to demonstrate any accountability for the investment decisions that were made under his supervision.

Mr. Speaker, the Minister of Finance holds a position of great power and with it comes great responsibility. He has let Yukoners down and he should have done the honourable thing and resigned as Minister of Finance. The fact that he will not even acknowledge the mistakes that he made just makes it worse according to the many, many Yukoners who have raised and continue to raise this issue with us. It is about trust and integrity.

Let's go back to some of the things that this government said about those investments in 2007, Mr. Speaker. The Deputy Premier had all kinds of good things to say, for example, about the Auditor General of Canada. I quote, "Something that we on this side of the House will never do is politicize the good work of the Auditor General of Canada. In fact, Mr. Speaker, the government very much welcomes the assistance that the Auditor General can provide in further reviewing these particular investments." — *Hansard*, November 21, 2007, Hon. Deputy Premier.

"I don't think that this side of the House is taking issue with the Auditor General of Canada and her good work. In fact, we fully support her work as we have in the past ..." — Hon. Deputy Premier, *Hansard*, December 3, 2007.

"We certainly look forward to the outcome from the Auditor General of Canada. I have said on the record of this Legislature that we look forward to the outcome, and we will accept any findings and recommendations that are brought forward." — Hon. Deputy Premier, November 26, 2007, *Hansard*.

"And similarly, we look forward to hearing the outcome of the Auditor General's review as well. We don't take any issue with respect to the reviews or the outcome." — Hon. Deputy Premier, *Hansard*, December 3, 2007.

When the Auditor General investigated the Finance minister's \$36.5-million misadventure, she found the government didn't follow the law when it made this investment. Suddenly, the Auditor General was no longer the government's friend. This Premier's first response was to publicly criticize the Auditor General and dismiss her findings as "just her opinion". I think he was taking issue with the work of the Auditor General. Kind words ground to a halt once the verdict was in, Mr. Speaker.

In 2007, the Deputy Premier insisted that the Auditor General was fully aware of the investments and approved of them. The facts show that that was not the case. The government insisted in 2007 that there would not be a loss on these investments. "The government has not lost one penny." — Hon. Premier, *Hansard*, November 6, 2007.

"Secondly, we're not talking about a loss here at all." — Hon. Premier, *Hansard*, November 7, 2007.

"The facts are: on December 14 we will know the information on the maturity date going forward. The facts are: the Yukon government has not lost one nickel." — Hon. Premier, *Hansard*, November 7, 2007.

"There is no loss on the investment." — Hon. Deputy Premier, *Hansard*, November 13, 2007.

In fact, there will be a loss. A best case scenario sees us getting our money back in eight to 12 years. If we do, it will be at significantly less interest than it was originally invested for and the principal itself does remain in question. Private companies have sold this same stuff — the newly reorganized notes — for as little as 28 cents on the dollar as recently as just a few months ago.

In 2007, the Yukon Party government insisted the investment was guaranteed by the bank. "First the investment had the highest rating available. Second, it's backed by the banks." — Hon. Premier, November 7, 2007. "The litmus test was met. This investment was backed by the banks." — Hon. Premier, November 7, 2007. "The asset-backed commercial paper is backed by the banks." — Hon. Deputy Premier, November 19, 2007.

What did the Auditor General say in her report? Paragraph 15, "When we reviewed the information memorandum for each of the two trusts, we noted that, while there is no reference to liquidity agreements, each included the following clause that stipulated there is no guarantee of payments from the parties noted: Neither the administrative agent, the trustee, the note trustee, any beneficiary of the trust, any originator, nor any of their respective affiliates or related parties will guarantee or otherwise assure payment of notes issued by the trust, nor will any such persons compensate the trust or holders of notes if the trust realizes any losses on its portfolios of asset interests." — from the Auditor General's report of February 7, 2008.

There are no guarantees, contrary to what the Premier and the Deputy Premier told Yukoners repeatedly in the fall of 2007. It's about integrity and trust, Mr. Speaker. The Premier and the Deputy Premier insisted that fall that they were following the *Financial Administration Act*. "The decision was made not by Cabinet — not by Cabinet at all — but by policy and the act itself. The decision to invest was made. This government

and I, as Minister of Finance, fully support that decision." — Hon. Premier, November 7, 2007.

"Mr. Speaker, what we have done and what we will continue to do as the Government of Yukon is to abide by the letter of the law and that is the *Financial Administration Act* that has been in place for many, many years..." — Hon. Deputy Premier, from *Hansard*, November 13, 2007.

"Our government has been adhering to the *Financial Administration Act*." — the Deputy Premier on December 6, 2007, in this House. What did the Auditor General say about that? Quote: "Yukon's *Financial Administration Act* prescribes the investments that the Government of Yukon can make. We found that the Government's investment in the summer of 2007 in two asset-backed commercial paper trusts that were set up by non-banks (total value: \$36.5 million) did not meet the requirements of the Act..."

"It is important that the Department of Finance manage the investment of public money prudently and in accordance with legislation." — Auditor General's report, February 7, 2008.

That's the responsibility of the Minister of Finance, to ensure that is being done. That's why we have elected ministers.

I guess it was not important to the Premier or the Deputy Premier to manage our finances in accordance with the legislation or they would have paid a little more attention. It's about integrity and trust.

The Premier is desperate to shift the blame for this to someone else. In February 2008, the Premier told the *Whitehorse Star* that the banks were to blame and that they were untrustworthy. If he feels so strongly about that, the Premier could sue them for breach of contract. Did the Finance minister, the Premier, do that? No. Instead he signed on to the Montreal Accord. One of the conditions of signing on to that accord is giving up your right to sue the banks involved, the very banks the Finance minister said were untrustworthy.

The Finance minister is trying to have it both ways. On the one hand, he's talking tough about how untrustworthy the banks are and, on the other hand, he had already signed a deal saying he won't sue them. It's obvious the attacks on the banks were just another attempt to deflect from the minister's failure to adequately protect Yukoners' money.

The Finance minister wasn't minding the store and now the money is missing and, of course, it's someone else's fault. We gave up our right to sue. If the Premier really thinks the banks are breaking a deal, then he should sue them. After all, he's experienced in going to court. We're in court with Yukon First Nations, with the francophone school board and with many others because of this Premier's confrontational approach to governing. Instead, he has signed away our right to sue.

The Finance minister, the Premier, also tried to blame previous governments for his woes. The Auditor General in her investigation cited one government, this Yukon Party government, for not following the *Financial Administration Act* and for losing money tied up as a result.

The Finance minister put out a news release in 2008, saying he would stop buying ABCPs. Under the restructuring of these investments, he has basically agreed to take on more

ABCP investments because they still exist within the new notes.

That's what's sitting inside of them — new label, new package, same old product. No wonder no one is believing what this Finance minister says when it comes to these investments — because everything he has said has been contradicted by the Auditor General, the highest financial authority in the country. Mr. Speaker, Yukoners will take the Auditor General's word seven days out of seven on this matter.

The new bonds, the new notes the Premier has agreed to take on as part of this restructuring, are problematic for a couple of reasons. They contradict the promise the Premier made not to invest in any more ABCPs, as I've just mentioned, but more importantly, they too probably don't conform to the *Financial Administration Act*, 39(1)(a): "securities that are obligations of or guaranteed by Canada or a province; (b) fixed deposits, notes, certificates, and other short term paper of or guaranteed by a bank including swapped deposit transactions in currency of the United States of America; (c) commercial paper issued by a company incorporated under the laws of Canada or a province, the securities of which are rated in the highest rating category by at least two recognized security rating institutions."

None of these criteria were met. As a result, we don't believe the new investments comply with our legislation any more than did the original investments.

This is a mess going forward that governments will have to face for years to come. It's what can happen when a Finance minister fails to do his job. The repercussions will be felt for years to come. The public accounts just released last month show this investment has now been written down by around \$11 million. A third of the money has disappeared and all we have from the Premier is a promise to "take my word and we'll get it all back in a few years." That's not good enough for Yukoners. They don't trust this Premier with their money and with good reason. When that trust is gone, it's extremely difficult to get it back, Mr. Speaker. The public has lost confidence in this government's ability to look after Yukon taxpayers' money properly and safely.

Mr. Speaker, let's move on to another issue that's really at the centre of today's motion and at the centre of political debate in the Yukon today and in recent months, and that is the Premier's secret negotiations with ATCO. On April 27, 2009, the MLA for Watson Lake told this House in response to a question from the floor, "No, we're not involved in any process to privatize any public corporation in the Yukon, whether it be energy, hospitals, or whatever the case may be." — *Hansard*, April 27.

That was in response to a question from the Leader of the Third Party at the time. It seemed like an odd question. The Third Party didn't follow up with the issue and at the time it seemed like it must have been an open-and-shut case. Mr. Speaker, like many Yukoners, we accepted the Premier's word; we accepted the explanation; we accepted the denial. There had not been any discussions about privatizing the Energy Corporation for many years, probably since the last time that the Conservatives were holding the reins here in the territory.

Over the summer months, it became clear what the Leader of the Third Party was alluding to: the Premier had been engaged for several months in selling out our energy future. In June of this year, that fact was made public when the former chair of the Yukon Energy Corporation and Yukon Development Corporation Board and three of his fellow directors resigned in protest over the Premier's plans. The Premier and this government were, in fact, engaged in negotiations to privatize the Yukon Energy Corporation and had been since October 2008. The Premier has released a letter he sent to the head of ATCO, which demonstrated that to be true.

In October 2008, the government received a so-called unsolicited bid from ATCO regarding the future of energy in this territory. That document, regardless of whether it was unsolicited or not, kicked off months of extensive negotiations between the Government of Yukon and ATCO. Those negotiations continued for several months.

We know for certain they were ongoing when the Premier made his statements in the Legislature this spring. The Yukon Energy Corporation Board learned about the Premier's secret ATCO talks in December.

On Wednesday, July 8, the former chair of the board held a news conference, where he recounted a meeting held in December 2008 in the Cabinet offices. It was at that meeting that the privatization agenda was discussed. It was also at that meeting that the former Minister of Yukon Energy Corporation said he would have to resign, that he was unaware of this, he was out of the loop. That fact has been confirmed by the former chair and three former board members. The former YDC minister stands alone in denying this occurred. Once again, everyone else is wrong; only the government is right.

Over the summer months, the former chair outlined in detail the talks that went on over a period of many months. The former chair and three board members said privatization talks were on, and we do take their word for it.

When the MLA for Lake Laberge resigned from Cabinet on August 28, 2009, he made similar statements. He said the Premier was a lot more involved in the discussions with ATCO than he has indicated, and that the government did in fact consider the sale of public hydro assets and privatization. It was not until after the resignations of four board members from the Yukon Energy Corporation that government indicated it would not consider any outcomes that led to privatization.

The former Energy minister said some stronger things than those I have just cited I cannot repeat them in this House, but they are on the public record.

In August 2009, the Liberal caucus filed several access-to-information requests to the Executive Council Office and the Department of Energy, Mines and Resources. They were denied in accordance with section 17(1)(e) of the ATIPP act, which states, "A public body may refuse to disclose to an applicant information the disclosure of which could reasonably be expected to harm the financial or economic interests of a public body or the Government of the Yukon or the ability of that Government to manage the economy, including the following information ... (e) information about negotiations carried on by or for a public body or the Government of the Yukon;"

We were refused the information under ATIPP, and the reason given was because it pertained to negotiations.

Mr. Speaker, media outlets who asked for the material were rejected on the same grounds. The Department of Energy, Mines and Resources, in responding to these access requests, were admitting that the government was in negotiations to privatize the Yukon Energy Corporation.

On August 11, the Premier held a news conference to try to explain some of the events that had transpired with regard to ATCO. He only stayed a few minutes and then he left officials to explain his actions. That is one of the most disturbing parts of this whole story. Instead of facing the music, the Premier hid behind officials, and he has done so repeatedly in this House on this same issues this fall.

This is how one of the officials described what went on with ATCO, "We got into this negotiation, we were looking at financial numbers, we were looking at lots of stuff." As part of these negotiations, officials representing the Premier travelled to Calgary six times over a seven-month period for meetings with ATCO. But at the same time, Mr. Speaker, the Premier was carrying on a parallel process of negotiations with the head of ATCO. That is a fact confirmed in the joint position paper. Now the Premier claims that these meetings were not negotiations. We don't believe that and neither do most Yukoners.

Finally, the joint position paper arising from a negotiating session between Yukon and ATCO on May 12 in Calgary was made public this summer. The position paper outlines the creation of a new Yukon-based full-capability energy organization titled OPCO. Page 6 of the paper contains this statement, "ATCO indicated that the president would be from within the ATCO organization and would have a term for a minimum period of time — 5 years was mentioned. ATCO noted that the Premier told Nancy Southern that longer would be better." Nancy Southern is the president of ATCO. If that doesn't sound like a negotiation, Mr. Speaker, perhaps we should send the Premier to the Middle East and he can solve those problems without negotiations either.

The joint position paper is a public document. It outlines in great detail what was on the table. There is no doubt that it was the privatization of our energy future and of our Energy Corporation. This clearly demonstrates the government was in fact in negotiations with ATCO and it is proof that the Premier was not only aware of the negotiations, he was personally involved in the negotiations.

Now the Premier repeatedly claims that there were no negotiations because there was no mandate from Cabinet. Really? To use one of the Premier's favourite lines: so what? Does any member of this Assembly or any member of the public really doubt that the Yukon Party Cabinet would refuse to endorse a deal negotiated by this Premier? Based on what we know, the Cabinet would fall in line and do what the Premier orders them to do. That is what they have done when push comes to shove. They all back the Premier. They're all in this together and Yukoners will remember that when the next election happens. The Premier's denials do not hold water. He has been contradicted by the former chair of the board, by former board members, by the former Minister of Energy, Mines and Resources

and even by his own officials and the officials who handle access to information requests. They have a hard time following the script, Mr. Speaker. They forget and they make reference to negotiations.

The joint position paper confirms privatization was on the table and the Premier was personally involved. We've urged the Premier to admit that his government was in fact in negotiations and that privatization was on the table, but he has refused.

On June 16, we put out a news release. It said the Premier had no mandate to privatize the Yukon Energy Corporation and that he should put the question to the public if he wants to proceed with his plans.

This is certainly not something the Yukon Party campaigned on and the Premier has no mandate to be heading down this road. We requested he must immediately cease and desist with his plan or take it to the people for approval. We also called on the then minister responsible for the Yukon Development Corporation to take a stand against the Premier's plans. That minister should have stood up to the Premier's privatization agenda and taken charge of his portfolio, but he didn't do it. He wouldn't stand up to the Premier. It was left to the former chair and board members, to members of the opposition and to employees at the Energy Corporation to lead the way. Imagine how disappointed employees must have felt when they saw their minister stand back and do nothing as their jobs were on the negotiating table.

I take my hat off to all the employees who have the courage to speak out on this issue. They deserve credit, as does the former chair and board members for blowing the whistle on this plan.

When the Minister of Energy, Mines and Resources quit on the Premier this summer, he said, quote: "While the cause of this breaking point relates to the ATCO scandal, it is not about electricity; it is about integrity." As I said, he went on to say other things but I can't quote them in this Assembly. While we often don't agree with the Member for Lake Laberge, in this we certainly do. It is about integrity.

When the Yukon Energy Corporation and Yukon Development Corporation minister found out that these negotiations were going on behind his back, he should have tendered his resignation. Instead, he did nothing.

Some Hon. Member: (Inaudible)

Mr. Mitchell: The Member for Kluane says he tried. He didn't try very hard and he has certainly been vocally denying he tried at all.

Let's move to the third issue that has driven us to this point, and that is the Premier's political interference in the Peel watershed land use planning process.

Some Hon. Member: (Inaudible)

Mr. Mitchell: An independent process, says the Member for Kluane, optimistically.

The story broke this summer just two weeks after the Yukon Energy Corporation scandal hit the front page. These two events coming so close together rocked the government. It made for a very long summer for this government and it sent the Premier into hiding. He had a lot to answer for and he didn't feel like answering so he just didn't talk to the media for

several weeks, similar to the Yukon Energy Corporation scandal when the Premier was asked about this issue in the Legislature last spring.

Here's what the Hon. Premier told Yukoners on May 6, 2009: "The government is not interfering in a duly constituted process that was given rise from the *Umbrella Final Agreement*." "The point is that this government has not and will not interfere in that duly mandated process." "We are not going to interfere; we have not interfered in the process. The process has to follow its due course ..." — Hon. Premier.

A few weeks later, we learned that the Premier had already interfered in the process. What did he do? The Premier placed an irate phone call to the Deputy Minister of Environment on March 6 and ordered the department to gut its submission to the planning commission. Yukoners learned about this irate phone call because the *Yukon News* got hold of e-mails about it through ATIPP. Those e-mails were candid and frank about what went on. I'll quote from the internal government e-mail.

"The Deputy Minister just received an irate call from the Premier, who was with ..." I have to paraphrase, Mr. Speaker, not to name members, — with the Energy, Mines and Resources minister, and he was quoting Environment's response. Says a March 6 e-mail from Environment policy director Ed Van Randen to John Spicer, Energy, Mines and Resources director of policy, quote: "This was a most uncomfortable and unexpected outcome."

The former Minister of Energy, Mines and Resources was in the room, and he described the call as "disrespectful and unprofessional". He also said that there was always a reaction when a Premier makes a call such as this.

We know that the department submission went from 22 pages to four pages as a result of this call. They sent out the *Reader's Digest* version. The minister and Premier can deny it until the cows come home, but no one believes those denials. The Yukon Party government cannot be trusted. After this story appeared, our Environment critic put out a news release on June 22 that asked a simple question: when is the Environment minister going to start running her own department?

E-mails obtained under ATIPP legislation confirm the Premier forced the Department of Environment to suppress a submission it was making to the land use planning commission. We have long suspected the Premier was interfering in the planning commission, and the Member for Mayo-Tatchun said, "This is the smoking gun." Where was the Minister of Environment when this was going on? Why wasn't she standing up for her department?

The Premier has repeatedly assured Yukoners — both in this Assembly and in various media interviews — that the government was staying out of the planning process, but it's clear now that exactly the opposite was true.

"Yukoners will be very disappointed to see this come to light," said the Member for Mayo-Tatchun. It proves once again the Premier wasn't straight with Yukoners. He went on to say, "This is just the latest example of the approach the Premier uses to run the government. The Premier calls all the shots and the ministers simply comply," he said. "It's very disappointing

to see the Minister of Environment look on while her department is neutered."

The Member for Mayo-Tatchun said, "The same type of command-and-control approach is on display with the plan to privatize Yukon Energy. The Premier is pulling all the strings and the minister that's supposed to be in charge sits back and lets it happen," he said. "It's time for these ministers to start fulfilling their responsibilities and to start standing up to the Premier."

There has been a great deal of debate and discussion about this e-mail. We know that the tourism industry was not happy with the Minister of Tourism and Culture allowing the Premier to interfere in this way and we know that Yukoners were not impressed either.

There are thousands of Yukoners who work for this government, Mr. Speaker, and none of them look forward to an irate call from the corner office. It's another example of the corner-office democracy we live in where the Premier has centralized authority in his office. Ministers are cut out of the loop. The Minister of Environment probably didn't know about the call for some time. Unfortunately, when she found out, she did nothing about it. By her silence, she endorsed the Premier's interference. They're all in it together, Mr. Speaker. The minister condoned the Premier's interference and his behaviour. Yukoners expected this process to be at arm's length; it was not.

Some Hon. Member: (Inaudible)

Mr. Mitchell: "It's tainted," as the Member for Kluane says.

What about the minister responsible for the Public Service Commission, the minister responsible for Yukon's public servants' welfare? What did he do when he found out about the call? He's responsible for promoting a respectful workplace. The Minister of Tourism admitted she took no action upon learning that the Premier had placed an irate phone call to the Deputy Minister of Environment. Her silence condones the Premier's actions. She said she's a team player and that members of the government support the work of one another.

From her responses, that includes when the Premier decides to place irate calls to deputy heads. The minister responsible for the Public Service Commission has an obligation to stand up for all employees. When did he become aware of the Premier's irate call, and did he confront the Premier about it?

We asked the minister that question recently and he either refused to answer or was told he was not allowed to answer by the Premier, because the Premier responded. Again, who is in charge of the departments — the Premier or the ministers? By the minister's silence, we will have to take it that he was aware of the Premier's irate call but took no action. This is not surprising, because this summer the minister said the Premier was a strong leader. He endorsed his leadership and backed him 100 percent. "We are all in it together, Mr. Speaker."

The minister has an obligation to stand up for his employees. In the government's own harassment policy, it says the employer is to provide "leadership in creating and maintaining a work environment free of harassment." The minister had a

choice. He could have confronted the Premier about the irate call or he could have remained silent. We know what he chose.

We know the minister is in a tough spot, but we are asking him to do the right thing. The minister's department puts out brochures that say the government promotes a respectful workplace. It also talks about leading through respect. We now know that the Premier leads through making irate phone calls. We also know that the Deputy Premier sees no problem with that approach, because she did nothing either.

The brochure has more advice about harassment. It says, "Do not ignore it." Unfortunately that is what the minister has done. He learned about the Premier's irate call and took no action. Worse yet, he told reporters this summer that he supports the Premier and that he is a strong leader. Is it any wonder the public has lost trust in this government?

We know that this type of phone call would not be tolerated within the public service. Why is the minister letting his boss get away with it? Perhaps the minister will find his voice today and he will answer for his lack of actions or for his actions.

Mr. Speaker, I have outlined three main issues that Yukoners have taken great offence to. They all focus on integrity and honesty. They all started in the corner office, but the reaction from the rest of the Premier's team has been equally important. Save the former Minister of Energy, Mines and Resources, they have all been in lockstep with the Premier. The rest of his colleagues have thrown their lot in with his policies, his behaviour and his attitude, and we believe the Yukon is worse off for it. We believe Yukoners have lost confidence in the government benches and that is why we are debating this motion today.

Mr. Speaker, there are a few other issues that I would like to highlight today that have left Yukoners less than pleased with the government of the day. They add fuel to the discontent Yukon has about its current government. As we raised yesterday in Question Period, this government prefers litigation to negotiation. Its confrontational approach comes from the top-down mentality that has taken hold in the corner office. The government is almost constantly in court with Yukon First Nations, and this spring it added the francophone school board to its list of groups that it meets in front of a judge instead of across the negotiating table.

Yesterday we also highlighted another issue that the public feels let down about and that is capital project mismanagement. In a 2007 report, the Auditor General had very strong criticism of this government in how it wastes public money when it builds infrastructure. Her report looked at 10 projects, and the cost overruns at that point added up to \$8 million.

We have seen the pattern over and over again: in the new Tantalus School in Carmacks, in the athletes village, the Whitehorse airport — just to name a few. Estimates are made and then the final costs come in way over, but it's always someone else's fault. The Auditor General pointed the blame at the government and said that the government must do better. Since that report, the Yukon Party government has unveiled the new Whitehorse Correctional Centre. When they came to office it was estimated that it would cost some \$30 million to build, but instead they waited. The six-year wait has caused the cost

of the project to balloon to \$67 million, and we still don't know the final bill. The Minister of Justice admitted this spring that they began construction without a final design in place. That's not a promising start. It remains to be seen what the final number will be. If the past history of this government is any indication, the final number will likely be higher. The public wants their government to have a better handle on capital projects. This government is not getting the job done. Millions of dollars have been lost by poor planning, lack of oversight and poor follow-up. That sounds a lot like the investments in asset-backed commercial paper, Mr. Speaker.

Mr. Speaker, two buildings I didn't include in the capital project category deserve special mention on their own: the health facilities in Watson Lake and Dawson City. They were promised in 2002 at a cost of \$10.4 million total for both, and seven years later, they do not yet exist. Millions of dollars have been expended, but nothing has been built yet that the public is using. The money spent to date is not making Yukoners any healthier. In fact, it probably just makes them sick thinking about it.

Now, these projects were originally managed by the Department of Highways and Public Works, then the responsibility was handed over to Health and Social Services, because the former minister insisted on micromanaging the projects. They were eventually handed back to Highways and Public Works, and then earlier this year, both projects were handed off to the Hospital Corporation. It has been a real hot potato, and I know that last year, the Health and Social Services minister acknowledged that when he said — and I paraphrase, "No matter how hard I try to get away from it, this project keeps bouncing back to me."

In the seven years since the first announcement, the plans have changed several times. There have been several changes in the scope of the projects and cost estimates have now skyrocketed to some \$50 million — from \$10.4 million to \$50 million. Both buildings are being financed by loans to the Hospital Corporation and the result will be, over time, millions of dollars in interest. They are not being paid for up front as is usually the case when it's done by government, because it's being done off the government's books.

By moving the projects to the Hospital Corporation, they don't show up in the annual budget of this government. They don't show up as a liability or as an expense. It allows the government to present a much healthier bottom line; however, that debt must someday be repaid.

If you add in the new hospital residence being built across the river, there is some \$67 million in construction being done off the government's books under the auspices now of the Hospital Corporation alone. It's living beyond our means and mortgaging our future.

This government has made no effort to inform Yukoners about how these projects are being financed. In fact, they have fought, at every turn, efforts by us and the Third Party to have this information made public. The Health and Social Services minister shrugs and says it's the Hospital Corporation's problem now. Yet when we try to have officials from the corporation appear in this House to answer questions, that request is

refused by the minister and put off into the future — not during this sitting; maybe next spring.

Perhaps if we didn't have \$36.5 million tied up in what the Premier likes to refer to as not-a-money-lost investment, just an extension of the term, from 30 days to 12 years or more, maybe we would have the money to pursue these projects. It's very similar to the secret negotiations the Premier carried out with ATCO. The public is kept in the dark while the government spends their tax dollars. Yukoners have had enough.

Let's talk about climate change. Yukon was the last jurisdiction in Canada to develop a climate change action plan under the leadership of this government. Our environment has never been a priority of this government, and that is something they share with their Conservative colleagues in Ottawa. The result is an action plan that is weak and puts off real action until years into the future.

On Monday we got a real glimpse into the side opposite's thinking on the issue. The Minister of Economic Development addressed the issue of global warming. I want to be clear, Mr. Speaker — this isn't a quotation from the distant past; this was only several days ago, Monday of this week.

He said, "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 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."

Incredible, Mr. Speaker — amazing. Is it any wonder that stronger initiatives to protect our environment have not made it through Cabinet when there are voices like that sitting around the table? Of course, it wasn't that long ago that the former leader of the Yukon Party had this to say — on Tuesday, May 7, 2002, the former Member for Klondike: "Let's move on to another area — the Kyoto convention and the Yukon's role. Global warming — several things are agreed to, that the temperature on the surface of the earth rose in the 20th century and man burned more fossil fuel during that time. That's about it. It's not really all that clear that the two are linked ..."

The more things change, the more they stay the same. Yukoners have waited a long time for this government to take effective action on climate change and they're still waiting.

Mr. Deputy Speaker, while the controversy surrounding the privatization of our power system has been well-documented, the Premier's negotiations with the same company about the possible future sale of Yukon's water have received much less attention. The joint position paper identified this as another area the Premier was pursuing. Again, Yukoners were never asked or consulted about their views on this type of sale. If the Premier had bothered to ask, I would venture a guess that Yukoners would not be very supportive of the idea. The Premier didn't bother to ask. He had no mandate to proceed and he just went and did it anyway. The list is by no means exhaustive, Mr. Deputy Speaker. There are plenty of other shortcomings that we've heard about from Yukoners who want a chance to go to the polls.

We have reached a point where we can no longer support the current government. The minister opposite, the Premier, characterizes our motion and uses language that I can't refer to or I will be ruled out of order.

He also says we never support anything this government does. Well, there are lots of recorded votes. Division is called on a regular basis. I challenge the Premier to look and see how many bills the members on this side of the House have supported — because we have.

We have worked cooperatively with the government when we felt that there was good legislation in front of us, and we've tried to bring forward amendments to legislation that we thought was not properly and sufficiently written to be in the best interest of all Yukoners. We voted for a great number of bills over the past three years, so the Premier should pay attention to that too.

We can no longer support this government. Today I've laid out what we are hearing from Yukoners for why only an election will resolve the question of whether this government still has the support of Yukon voters. We believe Yukoners no longer trust this government. We're hearing that from them every day.

The Premier spent the summer denying he was involved in negotiations to privatize our energy future. Yukoners are not fooled. They know the Premier was personally leading those negotiations and that his denials are worthless. Worse yet, all the other Yukon Party members have backed the Premier and endorsed his actions. They're all in this together, and Yukoners deserve a chance to vote for a government they can trust. Integrity is the issue here.

When the Premier told Yukoners this spring that he had not interfered in the Peel watershed land use plan, they took him at his word. But subsequent events have clearly proven that the Premier did interfere and, again, his colleagues, including the Deputy Premier, have condoned that approach. The entire government caucus has refused to stand up to the corner office, and they should be held accountable at the polls.

In 2007, the Premier supervised investing \$36 million of Yukoners' tax dollars by investing them in contravention of the *Financial Administration Act*. We have written this investment down by some \$11 million. The Premier can play with words, but there has certainly been a value adjustment reported in the public accounts.

The Premier spent the summer denying he was involved in any negotiations. We've seen what this means. The government stands by while the Premier denies that anything was done wrong with the \$36 million and we've seen the interference in the Peel. These three episodes have caused Yukoners to lose faith in this government. They don't trust the government any more. We're hopeful that all members of this Assembly will take part and debate this motion — that they'll be allowed to. Only three weeks ago we saw the Premier unilaterally shut down debate on opposition business in the House.

Yukoners want to see how each member votes on this motion, and we're looking for assurances that the government will allow it to come to a vote. Yukoners deserve to know where every member of this House stands.

We say, call an election and let Yukoners decide if they accept the Premier's explanations. This Premier was caught selling out Yukon's future and his conduct has been endorsed by his colleagues. I expect it will be endorsed again today by those on the government side, but they will have to answer for it when the election finally does happen.

Thank you, Mr. Speaker.

Hon. Mr. Rouble: Day after day, I'm reminded that the challenge to answering a loaded question is that it validates the question, even if the premise isn't based on reality. That could pretty much be the theme for the opposition's discussion points earlier today.

Mr. Speaker, we've heard from the Leader of the Liberal Party, and I trust his comments are representative of the members of his party as well. We've had a very long discussion from the member opposite on this, and I hope we do have time for a vote today, so I will certainly be brief in my comments so we can bring this to its natural conclusion.

I'm reminded that people get involved in politics for a multitude of different reasons, and that they do it out of a sense of responsibility, out of a sense of wanting to see change, out of a sense of wanting to make a difference in their community. They get involved for very noble reasons, and they also join political parties here in our territory — those people with whom they can align themselves, those people with whom they have common values and beliefs. That's part of our party structure. Under our system, we run under a platform, something we can all commit to and, in the election, there are winners and there are losers. Every member in here is a winner; every member in here has been tasked with the responsibility of representing their riding, of representing their constituents, acting in the best interests of Yukon and of committing to do what they said they intended to do to implement their platform.

The government, because it has a majority of members, is tasked with the responsibility of implementing its platform. The Yukon Party did receive the most MLAs in the last election, as in the election before it, and has a responsibility to implement its platform, to act in the way they said they would during the campaign, to put forward the ideas, initiatives and plans they campaigned on, and put those into action.

I, for one, have made a commitment to all Yukoners to do just that — just as all my colleagues have. We had a platform that was endorsed by Yukoners. We put forward a vision and ideas for the future, and I intend to do my best to carry out that platform and that vision to the best of my ability.

We also have different roles in the Assembly, Mr. Speaker. The opposition holds the government accountable and asks us questions and asks and probes about policy decisions, about budget decisions, about legislative decisions. And yes, of course, we have a difference in opinions. In some cases we have a very significant difference in philosophies. For example, there are issues that the NDP bring forward that I disagree with, but I certainly respect their right to have a different opinion on this.

We have all made a commitment to work in the best interests of our constituents and all Yukoners. We have all said in

this Assembly that we want to work together in order to make the Assembly work for others. In our political system, one of the realities is that sometimes it isn't always in the best interests of opposition parties to make the system work.

There are people in the opposition who believe that when there are issues on the radio or different press clippings, that that's how they score points out there. It's unfortunate, but often in our system, conflict is rewarded. We don't hear very often about the multitude of motions that are agreed to. It seems that when we agree on something, that isn't newsworthy — like 47 motions since the last election — very seldom does that make the headlines in 5s. It's those times when we are working together that our work often goes unnoticed.

I would expect that the coverage of today's debate will garner more coverage than Monday's debate where all members of this Assembly unanimously endorsed a motion. This is a situation where we agreed to work together. The Member for Kluane laughs at that. He did have an opportunity to put forward a change to the motion, but he didn't.

I don't believe he spoke against the motion, but then again I don't believe he spoke for the motion either. His voice was silent on the motion on that day, and that does happen. There are times that, due to time constraints in our Assembly, not all members have the opportunity to speak.

We all have responsibilities and we all have different approaches to how we are going to govern ourselves in the Assembly. The NDP certainly has taken a different approach. They have put forward motions that have been endorsed by the government. They have certainly made a positive contribution to trying to make the Assembly work. I realize that the members in the NDP will probably not be speaking to this motion today, as earlier today they sent out a press release that states: "NDP prefers to focus on substance rather than rhetoric." "NDP members of the Legislative Assembly will not — on principle — waste valuable time in the Legislature today speaking to yet another desperate and futile attempt by the Liberals to bring down the Yukon Party government."

The press release goes on to say that, "The Liberals are once again demonstrating to me they are more interested in playing partisan political games than engaging in constructive dialogue that will advance the important business of Yukon people."

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: There seems to be some eagerness from the Member of Vuntut Gwitchin to enter into debate, as he's once again providing comments on the floor. Mr. Speaker, I would just like to request that members at least respect the rules of our Assembly and allow a member to speak without the constant interjection, the constant barrage of comments from across the floor. It doesn't help debate.

We've all made a commitment to raise it up a notch or two or three. Let's do that. I guess that politicians sometimes do things for political reasons. I won't make an attempt to guess as to what their motives are for doing that, but I'm sure many people will wonder why they're making the moves that they are.

Mr. Speaker, we have recognized that there are many things that we can agree on. In this sitting alone, we've agreed on forming a select committee to review the *Landlord and Tenant Act*. We've put forward a motion and agreed unanimously to establish a select committee on the safe operation and use of off-road vehicles.

We agreed to the NDP motion to take the *Legislative Renewal Act* out for public consultation, to establish a process to look at that. There has been a motion to establish a select committee on the *Landlord and Tenant Act* to review that. Earlier this week, we unanimously addressed a motion to deal with climate change. I do see that the Liberal opposition members did have confidence in the government and did support those motions. Additionally, we've also put forward policy directions on the floor of this Assembly. Those policy decisions were also supported by the members opposite, including the members of the Liberal Party. They demonstrated their support and confidence in the legislation. They put support and confidence into motions and they put their support and confidence behind policy directions. But now, for whatever reason, we're seeing this motion coming before us today.

We've seen 47 different motions. Whether it has been the establishment of a select committee to look at anti-smoking legislation, whistle-blower legislation, to build a new correctional facility using a correctional philosophy, the reconstruction of the Robert Campbell Highway, the development of a comprehensive skills and trades strategy — all these motions have been agreed to unanimously. These are examples of making our Assembly work, of looking at an issue that's of importance to Yukoners, establishing a position on it and calling upon government to take action.

We've seen over the last seven years the results of many of these initiatives — where members of this Assembly have unanimously agreed to a motion, it has worked its way through a policy change and through a legislative change as well. There have been issues brought forward by opposition members that have been addressed by the Government of Yukon.

The Government of Yukon's responsibility isn't just to our constituents in our ridings but to all Yukoners and we continue to honour that. Members opposite know full well they're seeing the results and impacts of budget decisions in their own riding, even though they didn't support the budget. We've seen schools built, roads built, other facilities. The members opposite know what's going on in Yukon communities. They're seeing the results of some of these decisions.

Members opposite also know full well what's going on in today's economy. They've seen the growth in people from the exodus we had in the late 1990s — which people refer to as the U-haul economy, where our population dipped below 29,000 — to today where it has increased by probably about 5,000 people to over 34,000 people.

They've also seen the increase in jobs that are out there. They've also seen the increase in social programs that have been implemented. These are some of the realities that are going on.

Again, Mr. Speaker, members in the opposition don't always gain sound bites when they applaud the government for

doing the right thing. Instead, many politicians are driven by the need to create conflict, to muddy the waters, to create misunderstandings that will then create whatever impression about other people. Unfortunately, that's a fact of life, it seems, in politics. It's not one that's particularly honourable, but it's a reality.

The government does its best to address initiatives throughout the territory, and many members in the opposition do their best to position themselves as an alternative. Unfortunately, we haven't seen much of an alternative demonstrated by the Official Opposition. We've heard their just-say-no approach, with no alternatives presented, no alternative vision — “Just say no to what the Yukon Party is saying.”

I think sometimes there must be a mantra — “If the Yukon Party said it, we must oppose it.” It's always a challenge. If it's something that's done by the Yukon Party, it's a mistake. Just yesterday, opposition members characterized building hospitals in Watson Lake and Dawson as “squandering money”. I'm not sure what kind of purpose that kind of rhetoric serves, but it is what goes on in our political system.

We've heard many ideas for legislative renewal or legislative changes, and I look forward to hearing the results from the work that will be done, but simply changing the rules won't have a huge impact, unless people also make a conscious decision to change behaviours.

Mr. Speaker, there is a long list of accomplishments that this government has put into place, and I could sit here today and list them. Members know about different initiatives. They know about seniors housing facilities going on. They've seen projects that the Yukon Party government has been involved with — things like the athletes village and the seniors facilities and the student residence. Again, this is another example or another situation where the Liberal critic got up and said these were all mistakes by the Yukon Party government. Well, the member opposite says \$3 million to \$33 million. It's that kind of situation where people do provide information, but there's more to it than that. \$3 million is what the host society had budgeted to provide accommodation for people, but the final amount — the \$33 million — is what the government invested in creating long-term homes for seniors, long-term affordable homes for students, and the establishment of the Yukon Climate Change Research Centre of Excellence. So there is much more to the story than just gets tossed out in a casual sound bite or a casual catcall from the opposition.

We've seen growth in population. We've seen the growth in economic opportunities. We've seen the implementation of the Yukon Party vision. We've seen significant progress made on improving the quality of life for Yukoners. We've seen the government's actions on the environment, including signing off on Yukon's first land use plan in north Yukon, including developing a climate change action plan, establishing the Climate Change Research Centre of Excellence at Yukon College, expanding the Yukon's hydro capacity and developing alternative energies that reduce greenhouse gas emissions. There are many more.

We've also seen examples of practising good government such as implementing cooperative governance through the

Yukon Forum and partnerships with Yukon First Nations on major federal initiatives such as the \$50-million northern housing trust, the \$40-million strategic northern strategy and the \$27-million investment in strategic infrastructure and northern economic developments.

I understand that opposition members don't want to talk about good-news stories. That is not how opposition parties gain what they perceive to be political points. Instead, Mr. Speaker, over the last while we've had a barrage of statements based on misunderstandings, innuendo and speculations. The ministers have had motives impugned. We have had hypothesis and conjecture presented as fact and all it has done is create additional confusion. I don't think it has done much to serve Yukoners, but we will try, Mr. Speaker, to get out with the positive word, to try to clear the waters that have been muddied. We will provide fact-based information so that Yukoners can make their decisions, because the decisions that Yukoners make when it comes time for an election will set the course for the future of the territory.

In the last two elections, Yukoners have chosen to support the Yukon Party. They have chosen to endorse the vision presented and they have chosen to re-elect that party based on the balance of the programs and initiatives and the decisions that were made.

I know I'm not perfect and I've made stumbles along the way. I see the look of astonishment on the faces of others, but that's true. I'm certainly not infallible. But we will certainly make a commitment to learn from our mistakes and trust that Yukoners in the future will make their decision based on the balance of all the initiatives, to take a look at the full and complete record. I certainly recognize that in our political system, someone can make 99 of the best decisions possible and make one bad decision, or make one mistake, and that will be enough for people to make a different decision on the future. I know I, for one, will continue to work in the best interest of Yukoners, to work to implement the platform that we established, to continue to see to fruition the projects and initiative this government has begun, to look to ensure projects such as education reform and New Horizons are implemented and continue to be implemented, so that they continue to make the changes in the lives of Yukon students.

We'll continue on with projects, such as the completion of the Whitehorse correctional and treatment centre. We'll continue to see the F.H. Collins Secondary School project continue through to construction, so that it's a new high school that will serve the needs of Yukoners. We'll continue to work on projects, such as Mayo B. We'll continue to provide Yukoners with clean energy to meet our growing energy requirements.

I will make a commitment to work with my colleagues here, my colleagues across the floor, partner with Yukon First Nations, other orders of government, including the federal government, our municipal governments and structures, to ensure that the needs of Yukoners are met.

I'm not going to support the motion that the Leader of the Liberal Party has put forward. I made a commitment to do the work that I was elected to do, and I will continue to do that.

The Liberal leader has said what he wanted to say. He has taken his shots. He has made his points. Now let's have a free vote on this motion, and get back to the business that we were elected to do.

Mr. Elias: I cannot say that I'm pleased that we have to come to this point of putting a motion like this on the floor of the Legislative Assembly, because I believe Yukoners want their leaders to succeed. I was raised to have respect for your leaders. I come from a community where consensus-style decision-making was in the forefront. When I first became an MLA, this type of decision-making on the floor of the Assembly was foreign to me.

I'm going to share a story with this Legislature that I've told many of my constituents. I'm going to put it on record as to why I support the motion from the Leader of the Official Opposition, my leader, the Member for Copperbelt. When I see a Premier and his government treat his fellow Yukoners the way they've been treated, and I have been treated, it's a game-changer for me.

Over the past summer up to now, I would say eight out of 10 Yukoners I talk to about issues or what's going on in government — unprompted — say we have to get rid of these guys.

You know, back in the fall of 2007, I got a message from the Premier outside the Legislature by the cafeteria, and it was delivered by the Minister of Energy, Mines and Resources.

The message went something to the effect that the Premier didn't like the way I was asking him questions on the floor of this House, in this Legislature, and that if I wanted to dabble in doo-doo — there was another word that was used — then I was going to get some on my finger, and that my line of questioning would affect my riding in that my riding would get more with me speaking with a little bit of sugar rather than with salt — is what I was told. I was shocked at the time and I had mixed feelings for a few days. What this Yukon Party caucus didn't take into consideration was that I cannot be intimidated. Over the course of my young career as a member of this Legislative Assembly for the Vuntut Gwitchin, the corner office itself — the Premier's office —

Speaker's statement

Speaker: The Member for Vuntut Gwitchin, from the Chair's perspective, has accused another member of intimidation. That is a very serious charge, which may be brought to this House in the form of a substantive motion. Accusations cannot be thrown out without any defence, so honourable member, just keep that in mind.

If the honourable member feels he has been aggrieved, he has avenues and he has the staff to help provide that information. This is not the forum right now. The Member for Vuntut Gwitchin has the floor.

Mr. Elias: Mr. Speaker, this is a serious motion today and, regardless of what the consequences will be, I will stand up for each and every one of my constituents, no matter what the situation is.

I'll close by going back to my opening comments. I was raised to have respect for leaders in this territory. I believe that Yukoners want all their leaders to succeed, but it has come to the point where I cannot, in good conscience, support this Yukon Party government. It has lost my confidence and, as far as I'm concerned, the confidence of many, many Yukoners.

Speaker: Are you prepared for the question?

Some Hon. Member: Division.

Speaker: Division has been called.

Some Hon. Member: (Inaudible)

Speaker: Are you prepared for the question?

Some Hon. Member: (Inaudible)

Speaker: Somebody stand up here, folks. We are going to give every member who wants to speak a chance to speak.

Mr. Fairclough: I would like to also speak briefly on this motion that was brought forward by the Member for Copperbelt.

Like the Member for Vuntut Gwitchin, I have been asked, told and had this issue talked about so many times as I travel through my riding, as I go into the grocery stores and the shops here in Whitehorse — people want an election. It was very strong over this summer and into this fall that the message was coming out. How do we do it? How can it happen? Can you make a motion on the floor of the Legislature to make it happen? How can we make the Yukon Party understand our views? A lot of it, Mr. Speaker, is about respect. We can talk back and forth in this House and have strong words for one another and questions and it is acceptable — this is how things happen here in the Legislature.

But when the government side, particularly the Premier, is out there making irate phone calls, sometimes dressing down members of the public, telling people that things have been said by elected members of this House that were not said, and I guess contradicting the evidence that has been put before this Legislature — when it comes to things like the \$36.5 million of investment or the interference of the information that should have gone from the Department of Environment down to the Peel planning commission.

We've been told over and over again that this in fact happened and people want an election. I heard it up in Keno. I heard it in Mayo, all down the highway, in the community of Pelly Crossing and, of course, in my own community of Carmacks. People want to go to the polls right now and they want to get rid of the Yukon Party.

They want a party in there — a government that they can trust. They want a government that they can work with. Well, does that mean anything to people right now? Let's go back and look at the last seven years. We've had demonstrations outside of this House. The Minister of Education, in my view, should have shown a lot of respect to the community of Carmacks, and did not. He talked about Little Salmon-Carmacks First Nation members using garbage can lids for drums, instead of saying, "Hey, look, we can build a decent school here, and we can work with you in this whole issue." You know what,

that didn't happen. As a matter of fact, the community said to the Premier, "Don't even come back here." That's how strong it was. The school — I have all kinds of questions about it, and how it was built from the beginning to the end. I know it'll upset a lot of people, particularly the Minister of Education.

Let's go even a little further down the road. There was supposed to be a review of the *Education Act*. That's mandatory under the *Education Act* and it wasn't done. The Yukon Party said they were going to commence with the education reform project. Here again, we ask questions in this House about whether or not ministers have control of their own department, and Yukoners and First Nations said they want the whole issue of governance talked about on the education reform project. What did the Premier do? He cut it out immediately, publicly, in this House, in the public. He cut it out.

I have to give credit to the Minister of Education. He said it was going to be in there, but the Premier was too powerful and it ended up being cut out of the education reform project. That's how things went in this House. Time and time we asked the question, and the public knows this. I want to state again to the members the Yukon Party that Yukoners are a lot smarter than they take them for. When a question gets asked in this House and it has been brought forward by the public for us to ask and it doesn't get answered by a minister — yes, they have the right — any one of the ministers could stand up, but it doesn't get answered by the minister responsible, then there are question marks out there.

Why? Why isn't the minister answering the question? As I asked questions with regard to the Peel planning commission and the Premier's political interference, I watched the faces of the members opposite. When the Premier takes over the show and doesn't let ministers answer, that's telling in itself.

I want to get into the \$36-million investment really briefly, but I want to state something again for the members opposite to realize. When they first got elected, this should have been a telling story for the public right off the bat — when we talk about secrecy here. The very first order of business that the Yukon Party conducted in this House was to repeal the *Government Accountability Act*. That's a statement on its own — to repeal the *Government Accountability Act*. I haven't heard one peep from the government side about that at all. As a matter of fact, a lot of these motions brought forward by the government side, no one likes to talk about — let's just put it back.

Then we have the investment of the \$36 million. I've got all kinds of projects in my riding that need the attention of government, projects that could happen, should the government have this money. This is money that has been invested and is gone and we cannot use it today. Often I'm asked about that — isn't there money in there? It shows up in the budget, the \$36 million, but we can't use it. This is a project that could be funded and it doesn't get funded.

Here we have the government, on something that's really important, the Peel land use planning commission and that whole process, the planning commission itself, when we ask questions in the House, this government immediately hides behind something — chapter 11 of the *Umbrella Final Agreement*. We're following process, they say; this is the process

they're following. What does the department say? As the internal government e-mails tell us, the Premier's approach is hardly in the interests of building a common corporate response that would reflect Yukon's interest. It will only further entrench Energy, Mines and Resources versus the Environment.

I really believe that is exactly where this government wanted to go. The Peel land use planning commission is charged with upholding chapter 11 by helping to "Ensure wilderness characteristics, wildlife and their habitat, cultural resources, and waters are maintained over time while managing resource use." This is right out of the draft peel watershed highlights, Mr. Speaker. That is what they are charged with doing. This is, I would say, one of the highest priorities this government should be acting upon. They said that there is a process set out in chapter 11 of the final agreements and yet the government — the Premier — makes an irate phone call to withhold information that should have gone to the land use planning commission and reduce its submission from 20 pages to four. That is what the result of the irate phone call has done, Mr. Speaker.

This political interference has been talked about quite a bit out there in the public. It has been talked about in my riding. It has been brought to my attention. I've received e-mails on it, and with those e-mails usually comes the statement, "It's time to get rid of this government. What can we do? How can we do it? What can you do? Can you bring forward a motion to the floor of the Legislature?" Well, like the Member for Copperbelt said, we gave the members an opportunity to make things right. We held off in bringing forward this motion. There's no movement on behalf of the government at all. As a matter of fact, there was a commitment, and I heard from many of the members about how they're going to improve decorum in this Legislature. That's when they first got elected. What happened? I heard another one today the Member for Klondike brought forward. It's the same one. The members on the government side can bring this forward all they want. I guess they're not going to follow through with it. The \$36 million is, according to the Auditor General, a violation of the *Financial Administration Act*. This government decided to look the other way, and praise up the Auditor General when they had the opportunity and the good words that may have come from her. But when there is criticism, they call it "just an opinion".

Twenty pages, Mr. Speaker, of this submission from the Department of Environment that was supposed to be given to them, reduced down to four pages. What happened to the whole thing? What happened to the Department of Environment here? It appears that Energy, Mines and Resources wants to take over and when we get calls about this, of course, this is another thing.

Now I said I'd be short on this. This motion didn't just happen to come about like that. The public was pressuring the Official Opposition to do something. I'm sure that the Premier knows this too. He knows that the public is quite upset with the actions of government. He knows there are calls for an election. With all that has happened, with all that was laid out by the Member for Copperbelt and all the evidence before us, all the evidence that has been produced and given out on the floor of

this Legislature, it's only right that we go to the polls, go to the electorate, to set that direction.

Unfortunately, we don't have the numbers here and we know it, but we've been asking for the government side to look at this matter deeply, internally, and vote with their conscience, rather than pulling the party line on this matter. All of us on this side of the House have talked about this motion for quite some time. All of us agree that it needs to be brought to the floor of this Legislature. All of us agree, from hearing from our constituents and the general public on the streets of Whitehorse and businesses and in our communities, that an election has to happen. I believe that the government's side just won't do it and we will definitely hear more from the public again on this.

There's an opportunity actually to have an election. It's the government's side that perhaps needs to vote in favour of this motion. The Member for McIntyre-Takhini had strong words about the Premier when in opposition — strong words about the Premier — and still does. I'm sure that he's gathering more information. Who knows what the next move is going to be by him. Maybe he'll be sitting over here again with that additional information. Maybe he will have that additional information.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Hon. Ms. Horne, on a point of order.

Hon. Ms. Horne: Mr. Speaker, I have a very difficult time here. I call a point of order. We have been sitting in here — I call it on 19(g) — we've been accused of false and unavowed motives over here. We cannot defend ourselves. When I was elected into this House, I was proud that I would be representing Yukoners to the best of my ability and I have, and we've lowered it to this. My colleagues and I work for the best of Yukoners, and we sit here after working hard, and we have to listen to this rhetoric and false motives are put upon us?

Speaker: On the point of order. Anybody else?

Some Hon. Member: (Inaudible)

Speaker: Order please.

Some Hon. Member: (Inaudible)

Speaker: Order.

Some Hon. Member: (Inaudible)

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

Mr. McRobb: On the point of order, Mr. Speaker, I would submit there is no point of order. This is about free speech. We're all representing our constituents in here. We can certainly understand why some members opposite may find the discussion uncomfortable, but the bottom line is it doesn't conform with Standing Order 19(g).

Speaker's ruling

Speaker: From the Chair's perspective, there is no point of order. There have been strong words on each side of the floor. As I've told members prior to this, strong words beget strong words. When one side stands up and says something and the other side takes offence, guess what? They're getting it back. So it's up to you, members.

Who is next? Member for Mayo-Tatchun.

Mr. Fairclough: Thank you, Mr. Speaker. I'll just wrap up. Obviously, the government side is a little edgy on this whole issue of the motion that has been put forward. I'm sure that they can't wait to get rid of it and vote it down. We'll see, because they're all charged with representing their own constituents. We would like to see them vote with their conscience.

We on this side of the House have been told time and time again by the general public and our constituents that they want a change in government, they want a government that they can trust, and this Yukon Party government is simply not the government.

Mr. Cathers: As members know, I will not be voting today, as yesterday, today and tomorrow, I'm paired with the Minister of Environment in order that she can attend and represent the Yukon at meetings with the federal Minister of Environment, and the provincial and territorial ministers.

Mr. Speaker, I think I have been very clear in the past, publicly in this Assembly, about what I believe the best thing for the Yukon Party and the Yukon Territory is, and that I do believe the party needs a new leader. My respect for the other eight members of the Yukon Party who were elected under that banner in 2006 remains, and I still believe they're the right team to govern the Yukon Territory.

Mr. Speaker, I'm also compelled to point out today that when we see Yukoners talking of forming a new political party, that is almost as much a reflection of their opinion of the opposition as it is of their opinion of the Premier. The opposition has continuously failed to present a credible alternative in this Assembly. They have not fulfilled their job, the expectations of being a government in waiting.

I would also point out that the Liberals have eagerly and repeatedly criticized the Premier for his attitude toward government employees and cited examples of his behaviour that they portray as unacceptable and unfair to those employees. While I agree that such criticism is warranted, I am compelled to point out that the Liberal caucus was very quick to attack the behaviour of others, but does not apply an equal standard to their own behaviour. They are completely and utterly failing to lead by example.

On a number of occasions, in their eagerness to attack the Premier and Cabinet, Liberal MLAs have callously cast aspersions on the reputations of government employees, made those people the subject of political debate or otherwise attacked employees and their reputations. Most recently we saw this again, beginning last Thursday and continuing this week, when the Liberal leader and several Liberal MLAs asked questions and tabled motions regarding the memorandum of agreement that has employees of Energy, Mines and Resources performing some tests and inspections related to water that used to be handled by staff of the Department of Environment.

The Liberal members could have debated the policy and questioned whether this step to improve regulatory efficiency and effectiveness was achieving that result. They did not do so. That the arrangement was reached for operational reasons, as determined by senior officials in two departments, they may not have known.

The Liberals may or may not agree with my personal opinion that this is a logical, operational agreement that only improves regulatory efficiency and does not in any way, shape or form reduce standards of testing and inspection. Rather than focusing questions on the policy matters, questions, comments, and motions from Liberal MLAs strongly imply that employees of Energy, Mines and Resources are not doing their jobs and are not fulfilling their duty to uphold the public trust placed upon them.

I have confidence that the employees of both Environment and Energy, Mines and Resources, which have a regulatory responsibility placed upon their shoulders, take that duty very seriously and do their best to fulfill the public trust. The Liberals accuse others of being unfair to employees, but that does not stop them from being unfair to those employees if it suits their line of attack.

In closing, everyone knows that I am paired with the Minister of Environment, and thus must excuse myself from the vote. I think there are no questions about my personal opinion. The Official Opposition needs to not only level criticism at others, but also take a good look in the mirror.

Mr. Inverarity: I rise today to speak in support of this motion, and I just have to say that I've been approached by many angry Yukoners over the past six months about the Premier's involvement in negotiations to privatize Yukon Energy Corporation.

While I could speak for a long time just on that particular subject, I think it's important to note that there are other items, beside that, which need to be spoken to. However, earlier today, my colleagues who have spoken ahead of me have clearly laid out our case before this Legislative Assembly, so I'm going to speak briefly today, because I know we're all anxious to get to this vote, to see exactly where individuals are going to stand up and be counted.

This isn't just about the privatization and private negotiations of Yukon Energy, but it's also about the Premier's interference in the land use planning commission and that process. It's also about the Premier's irate phone call to government employees and about the Premier's refusal to accept responsibility for his own actions.

I'm appalled by some of the things I've heard and I've witnessed individuals who approach me at events around town, who are saying, "When is this government going to call an election? We need to get rid of these guys sooner than later." That's a quote from people coming up to me.

Especially we're concerned about the continued contradictions when the Premier is asked to account for himself. Especially it's about the rest of government and how they can stand to support the Premier.

Mr. Speaker, I know that when I look around this House, I see conflict in the hearts of members here. I encourage them to stand when the time comes and vote with their conscience and let us move on.

Mr. McRobb: Thank you, Mr. Speaker. Well, I've listened very carefully to what was said earlier this afternoon. I

think it can all be rendered down to one single point. This is all about giving Yukoners the opportunity for an election — that's what it's about. Giving Yukoners the opportunity to vote in a government they can trust — that's what this motion debate is about this afternoon. If this vote passes, it has been laid out — the process has been laid out about what would happen. It does not mean a Christmas election. It does not necessarily mean a January or even February election, but it does mean it will give Yukoners hope. They will finally have an opportunity soon to elect a government they can trust.

Mr. Speaker, we've heard recollections and testimony from individuals in this House, all in the Liberal Party, about what their constituents have been telling them. The Member for Vuntut Gwitchin mentioned about eight out of 10 people who have talked to him about issues, said this government has to go, and they were unprompted in making that remark.

Well, Mr. Speaker, I can go even further. I've spoken to dozens of my constituents, and not one has suggested we stop this non-confidence motion today. Everybody who expressed a view said the same thing: "This government has to go. We need a government we can trust." That is the purpose of bringing forward this motion this afternoon — to give the people of the territory an opportunity to vote. That's all it's about.

The mover of the motion laid out several reasons as to why this motion should pass. He spoke about the big three reasons — the bad investments into the ABCPs. He spoke about the secret negotiations to sell off Yukon's energy future. He spoke about the cost overruns of several major projects. He also identified several other issues on the social side of the ledger — no action on poverty or youth at risk, for example. He also pointed out what the Yukon Party has done to Liberal initiatives in this Assembly.

The government shut down debate on the *Yukon Energy Corporation Protection Act* without hearing from other members in this Assembly. It was a father-knows-best approach; it was a my-way-or-the-highway approach. Mr. Speaker, that is not democracy, and that is another reason why Yukoners have lost trust in this government. That's another reason why they're begging for an election. That's another reason why this motion was brought forward this afternoon.

There are several other initiatives we have brought forward: *Human Rights Act* amendments, the *Cooperation in Governance Act* amendments, the net metering bill. They all met a similar fate. These initiatives were shut down by the government. Why were they shut down? Because the government has a majority and they wanted to stop any initiative from the Official Opposition.

We will not be intimidated. We will continue to represent Yukoners to the best of our abilities. We do not make side deals or patty cake with this government. We've heard from enough people out there — they want an election. We're the only party in this Assembly that is standing up for those Yukoners, and our leader this afternoon has brought forward this motion. That's all we can do: bring forward a motion on this because we can't call an election. Only the Premier can.

That's what this Assembly is about — free speech. If some of the rationale and support of this motion are offensive to

members opposite, then too bad. Maybe they should seek some other line of employment, because this job has to be tough at times. We have to deal with the facts; these are sensitive issues.

Yukoners want us in here going to bat for them. The Official Opposition is the only party in this Assembly that goes to bat for people, and we don't make side deals. We will do our best to hold this government accountable — no patty cake for us, Mr. Speaker. That says a lot about some of the others in here.

The new Independent member went on to criticize the opposition benches, but there was a major flaw in his argument. He fails to acknowledge that he is a member of the opposition. Well, he sounds more like a private member of the government side, based on what I've heard in Question Period lately, and based on his speeches in here lately. That is not the role of the opposition.

We are the only party in this Assembly trying to hold this government accountable. We ask tough questions that need to be asked. Do they get answered? No. They get responded to, usually by way of infomercial.

Well, Mr. Speaker, Yukoners are sick and tired of these infomercials. They have lost trust in this government and they say it is time to go. It is time for this government to go and it is time for them to go the polls.

Mr. Speaker, based on what we've heard from the government side this afternoon, it is hiding from that. It doesn't want to have an election. That is a flaw in our system. There should be some mechanism that can trigger that. This motion is one such mechanism that is possible, but we have seen what has happened here and I have already related what has happened. Once again, our party will not make side deals to sell out Yukoners interests. We won't play patty cake —

Unparliamentary language

Speaker: Order please. As I said earlier, there have been strong words used in this House today on both sides of the floor. The Chair has to step in when a member accuses another member of selling out anything. This is an honourable institution and we must treat each other with that honour and respect.

You have the floor, Member for Kluane.

Mr. McRobb: Thank you, Mr. Speaker. We are the only party that is standing up for Yukoners and what they want. Nobody else in here is — nobody — and the government side is hiding from it. Earlier today, our leader asked the Premier when he will call the next election. The Premier's response was that they've got two more years. Obviously, Mr. Speaker, this government will wait until the bitter end before it allows Yukoners to pass judgement — the bitter end. Another two years, the longest ever term in any Yukon government — a full five years. This government is hiding from the people. I say it should have the courage to stand up and allow Yukoners the opportunity to decide. It's Yukoners who put every single member in this House. It's an opportunity for them to reflect on their previous decisions and make new decisions.

We've heard previous accounts about the character of the government. We know Yukoners have lost trust in this government. We've heard specific accounts about how this gov-

ernment has given committee members instructions to blow up certain committees. The one committee mentioned was the Public Accounts Committee, or PAC. Well, that's not democracy. Any government that orders its members to basically destruct the committee should allow Yukoners the opportunity to pass judgement on what type of government they really are.

We also know about the SCREP committee — the Standing Committee on Rules, Elections and Privileges — how this government has essentially done the same thing. The committee is non-functional. It's that committee's responsibility to deal with the rules of this Assembly, yet nothing has been done, despite a Yukon Party promise that it would proceed with legislative renewal about seven years ago in exchange for shortening the fall sitting in 2002 from 24 days to 12 days.

We on the opposition side traded 12 days to get that promise from this government that it would proceed through SCREP on the legislative renewal reform. Well, that never happened. We've had about two SCREP meetings that didn't deal with anything other than future agenda items that have never materialized. Where are we today? Last week, we passed a motion on another standing committee to take this out for consultation and report back in the fall sitting of 2011. This Yukon Party won't even be the government in the fall sitting of 2011, so essentially what this government has done is absolve itself of having to deal with the legislation regarding legislative reform.

We knew that at the time and we supported the motion anyway. At least it's a step in the right direction, but it's a total contradiction of the promise this government made to us seven years ago.

There are lots of other matters that could be said. The sole Yukon Party responder — the Education minister — said quite a few things, but there are only a few points that he made that I feel are worthy of a response. One of them was that he criticized us for not all speaking to a climate change motion on Monday. Well, Mr. Speaker, how many members of the Yukon Party have spoken this afternoon? Only one. I bring that back to the Education minister and I would say today is a good example to contradict the point he made.

He also said a number of other things. He mentioned the select committees on the *Landlord and Tenant Act*, off-road vehicles and the *Legislative Renewal Act*, that I just mentioned, but Mr. Speaker, so what?

There are only select committees in starting a process. This government could have brought in legislation. It could have done so in consultation. We could have had a good debate on the floor of this Assembly. You know, those aren't reasons to keep this government in power any longer. Again, the issue here is allowing Yukoners the opportunity to vote in a government they can trust. Those issues will still carry forward.

You know, it was also mentioned how the Education minister came out in the media a couple of months ago and praised his leader. Well, Mr. Speaker, this is the Legislative Assembly. This is the place where members should be representing their constituents. This is the place where we are granted rights of freedom of speech. This is where we can speak freely to represent our constituents' wishes. This should not be the place

where we come to toe the line or take orders from the corner office.

This Assembly should not be turned into some military boot camp, where each speaker is given marching orders on what they can or cannot say. And this motion before us this afternoon is of critical importance, because it overarches all other matters. It allows the people to vote for a government they can trust, that can go forward with a new agenda that could very well include some of the matters identified earlier this afternoon. That's what this motion debate is about.

Now the Third Party has also been silent on this motion. It put out a press release earlier today. I just want to comment on that a little bit. A couple of months ago in the media, the NDP said it would be supporting this motion. Earlier today, after the House Leaders' meeting, its House leader, the Member for Mount Lorne, told me the same thing. Well, 10 minutes later, we get a press release. The NDP has flip-flopped on this deal. It now won't support this motion.

Well, I wonder what happened, Mr. Speaker. We will not make side deals; we will not play patty cake; we will live up to our principles and represent the people who elected us to office, represent other Yukoners and stand up for what we believe in. Our position on issues like this is not for sale.

I encourage all members to reflect on their oath of office and what they've heard from their constituents and vote in favour of this motion today with a clear conscience.

Speaker: Are you prepared for the question?

If the honourable member speaks, he will close debate. Does any other member wish to be heard?

Mr. Mitchell: Thank you, Mr. Speaker. I will be brief. The motion says that this House has lost confidence in the Premier and in his capacity to govern. Certainly on this side, we have and we will have to see those who maintain confidence in this Premier and his capacity to govern. I'm not going to speak for long; I laid out the arguments earlier this afternoon.

I'll thank all members, including the member opposite, who spoke to the motion. It's important that people be heard. I do have a few comments for the member in response to what other members have said, particularly, first, the Member for Southern Lakes. He said that this House is a place for people to express different philosophies and opinions, and I couldn't agree more. That's what debate is all about. Debate is sometimes not pleasant to one side or the other, but it is about expressing strongly held beliefs, and that's what we're here to do. We're here to do it on behalf of Yukoners.

So, I agree with the Member for Mount Lorne on that. I don't think that bringing this motion forward is anything but an example of us expressing our belief on behalf of many Yukoners that we've heard from. The Member for Southern Lakes also cited that not all members on this side speak to all motions. Well, Mr. Speaker, that's frequently the case, regardless of whether the motion has come from the government side or the opposition. Sometimes only one member speaks; sometimes several speak. Quite often, members relinquish their op-

portunity to speak, in order to get on to other business or to ensure that we get to a vote.

That is what was done last week when two motions were debated, and that was what was done Monday. By that same logic, the Member for Southern Lakes should be criticizing all his colleagues for not speaking today, but he apparently spoke on their behalf. He was their leader today.

The Member for Southern Lakes also said that we in the Official Opposition have expressed confidence in his government because we have supported many government motions. No, Mr. Speaker, that couldn't be any further from what the facts are. Those motions weren't confidence motions; they were motions urging the House to do something. Although we may have different philosophies, often we do agree, as we did on climate change, as we did on having a look at the safety issues around recreational vehicle use in Yukon. Those are issues that many Yukoners can agree on. We may have differing views on what the outcome should be, but not on whether the question should be debated and should go forth to Yukoners.

Yes, we supported government motions, motions from the Third Party. I think that proves the case that we do come here looking to cooperate and work with government when we can. As I said in my opening remarks, we've voted for numerous bills.

The Member for Southern Lakes also pointed out that we have voted against budgets. Yes, we have. Does that mean we disagree with everything that is in those budgets? The Member for Southern Lakes is far too astute a student of political science to think that; he knows better. He knows that budgets are confidence matters. He is certainly entitled to his opinion but the fact is that we've voted against budgets because we do not and cannot support the overall agenda and direction of this government. We have voted against budgets, not because of what is in them but often because of what is missing from them. There is no opportunity under our system for us to amend budgets to put in more support for youth at risk, more support for a food bank, more issues to help people who are suffering from lack of affordable housing or land-based treatment centres or other addiction programs. We can't do that; it is not allowed under our system.

Yes, in those cases our voting against a budget is a matter of confidence or the lack thereof and we are proud of any one of those votes.

The Member for Lake Laberge made some comments. He made it clear he doesn't support this Premier's leadership, but he supports his colleagues. He has every right to that opinion. Those are his views. He has been quite clear publicly. He does not support this Premier but he supports the rest of his party. In fact, this motion is that this House has lost confidence in the Premier and in his capacity to govern.

It's against the rules of this House to ever speak about who is and isn't present in the House; however, the member has identified twice — yesterday first, and again today — that he will not be voting on this matter because he has paired with the Environment minister, and that's fine. That's his choice, but we will be voting on this matter.

As far as his comments — the comments made by the Member for Lake Laberge — that said we were attacking officials because we asked questions of policy, on how a decision was made, who made it and why was it made, about changing some responsibilities for water testing from the Department of Environment to the Department of Energy, Mines and Resources, those were just that — questions of policy. Why was the policy even changed? Who made the decision to change the policy? Where was the decision made? Was it made in the corner office? Those are legitimate questions.

We have no issue with the professionalism of the officials in either department or any department. That's not what's in question here. I want to assure the former Minister of Energy, Mines and Resources of that. I appreciate he feels he's coming to the support of former employees, and it's admirable to see a minister stand up for employees. We haven't seen enough of that, but it's admirable. But that was not the intent of the questions. The questions were of the Premier and of the Minister of Environment. Did the Premier make the decision to shift the responsibility? Did the Minister of Environment approve the decision? Why was the decision made?

There was ample opportunity for the Minister of Environment, the Minister of Energy, Mines and Resources, or the Premier to stand up and say, "These decisions were made because we felt it was operationally efficient and in the best interest and the standard will remain a standard of excellence." They could have said that. Instead, they chose to throw it back at us for asking the question. They had the audacity to try to shift it — as so often is the case — on to officials. The Premier has been trying for two years now to shift our questions about why he didn't supervise Yukon's investments to officials.

He didn't have the courage to stand up and take responsibility. It's fine to have a plaque that says "The buck stops here." It's time to walk the walk, not just talk the talk.

This Premier could put this record that he's proud of on the line for an election and let Yukoners decide whether he has been straight with them on what happened with the investments, on what happened with the Peel and on what happened with the Yukon Energy Corporation. He chooses not to. Everyone who votes with him today is endorsing that choice and those decisions.

So, Mr. Speaker, this is a clear question: has this House lost confidence in the Premier and in his capacity to govern? We have, that's how we'll vote, and others will be judged for how they vote.

Thank you.

Speaker: Are you prepared for the question?

Some Hon. Member: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Fentie: Disagree.

Hon. Mr. Hart: Disagree.

Hon. Mr. Kenyon: Disagree.
Hon. Mr. Rouble: Disagree.
Hon. Mr. Lang: Disagree.
Hon. Ms. Horne: Disagree.
Mr. Edzerza: Disagree.
Mr. Nordick: Disagree.
Mr. Mitchell: Agree.
Mr. McRobb: Agree.
Mr. Elias: Agree.
Mr. Fairclough: Agree.
Mr. Inverarity: Agree.
Mr. Hardy: Agree.
Mr. Cardiff: Agree.

Clerk: Mr. Speaker, the results are 7 yea, 8 nay.

Speaker: The nays have it. I declare the motion defeated.

Motion No. 844 negatived

Motion No. 851

Clerk: Motion No. 851, standing in the name of Mr. Hardy.

Speaker: It is moved by the Leader of the Third Party:

THAT this House urges the Yukon government as part of its social inclusion initiative to host a major summit in Whitehorse in early 2010, similar in structure and scope to the Yukon Substance Abuse Summit of 2005, to bring together all levels of government, including federal, territorial, First Nations, municipal, as well as non-government organizations, the private sector, people living in poverty and acknowledged experts in the field, for focused discussion to examine effective strategies to respond to poverty and other factors such as inadequate housing, education and employment, that exclude people from participating in healthy and productive living.

Mr. Hardy: Thank you, Mr. Speaker. I'm going to sit down while I do this if that's all right. Thank you.

I'm going to be very brief because I'm going to say very clearly that we just spent two and a half hours discussing a motion, unfortunately, that was not going to be able to pass this Legislative Assembly. There's no question about it. The Yukon government of course was not going to vote itself out of office — everybody knows that, and we didn't have the numbers on this side. Unfortunately, we spent two and a half hours to do that and we have actually less than 50 minutes to talk about something that's extremely important and I hope has all the support of this Chamber — only because it's going to have a significant impact on the quality of people's lives, especially those who live in poverty. That is significant from the NDP's perspective.

I'm going to keep my comments very brief. Unfortunately, there is a lot of area that we should be covering in this; however, we're being given the opportunity to do that. We do want this motion to come to a vote today so that we, all members of Legislative Assembly, can join together to assist people that live in poverty — and not just the words, not just motions that are never called. No more grandstanding around this. Let us have a summit within the next six months. Let's bring the peo-

ple together from all walks of life, from all of the communities. Let's get experts into the summit meeting, as we did with the substance abuse summit in 2005. Let's unite to deal with poverty in the Yukon. Let's set an example.

I am very, very tired of seeing motions read into the record, but very little action coming out of that. This is an opportunity for us to put aside the swords that we like to pull out once and awhile within the Legislative Assembly, and unite. 20 years ago yesterday, the Parliament united to fight poverty in Canada. They have failed.

However, another NDP MP has brought forward a motion as of yesterday, I believe it was, or Monday or Tuesday. Once again, it is supported by all members of the federal government and all opposition members to try again to work on the issues around poverty. Hopefully, they will start moving in a more concrete manner that will have a significant impact. It's going to involve the provinces, the territories and the federal government all working together.

Within the Yukon — among us — we can do this together with the people, the people who work in so many of the organizations around town that try to address poverty. Poverty is not just about what we see on the streets. Poverty is within families that can barely make a living because of the income levels and the lack of support there is out there for them. Poverty is not being able to rent a facility, a place, a home for yourself, your spouse or your partner, or your children because you happen to be on social assistance. You're stigmatized. Poverty is about poverty of spirit, where people grow up living in poverty and always feel second class and always feel burdened by that cycle. And it's repeated, and repeated, and repeated.

Poverty creates violence. Poverty increases the impact upon our health system. Everything about poverty in our society is a negative and we have the means to address that if we come together and fight it together. We must allow the people to come together and this is what this motion is about. As the government announced a little over a month ago, social inclusion is what they're embarking on. I applaud the government for that move. However, more importantly, what we need is to get all the people who work on issues around poverty — individuals, all the communities, all the levels of government from municipal to the First Nations, to federal, to territorial — in the same room and come up with an action plan — come out of those meetings with an action plan to really address it.

We have far too many issues regarding poverty that need to be brought together, because they're all linked. We cannot just throw a little bit of money on this one issue or this one problem, throw a little bit of money over here for housing for the homeless, throw a little bit of money here for the food bank to feed families who do not have enough income at the end of the month to look after their families. That's not the way that poverty will ever be addressed; it just doesn't work. It doesn't recognize how the responsibilities of our society need to be put in place to address it in a holistic manner.

So, why now? No question about why now. We continue to see the growth of poverty in this territory. As I said, I'm going to be very brief, because I don't think we've been given enough time, unfortunately, on an extremely significant issue,

but being brief may actually be good, frankly, in this Chamber, and getting to the vote as soon as possible before it's 5:30 p.m., and getting something in place so that this government, working with the opposition members — all opposition members — put together a summit that will address this area.

There are many areas. There's housing. We have poverty in housing; we have poverty in education for many children; we have poverty with food; we have poverty with the sense of belonging — a sense of being a part of the society and contributing to it. The children feel that when they're growing up, unfortunately.

There are many ways to address it. We need people to come together to talk about those ways. I can give you one very quick example before I wrap up. Many years ago, I think it was between 1974 and 1977, in the town of Dauphin, Manitoba — I don't know if anybody has ever been there; I have. It's a nice little town. I went there to watch my son play hockey many years ago.

But in 1974 they were chosen to participate in a very unique social experiment. Everyone who lived in Dauphin or its rural municipality was eligible to receive a guaranteed annual income. I brought a motion forward again regarding guaranteed annual incomes earlier today. What was amazing was the impact it had within that community and the impact it had on families, on school attendance, on health records and on a sense of belonging to a society and contributing. It was very simple. It was a guaranteed annual income and it removed all the stigma. It had unbelievable long-term health and economic benefits for the people in Dauphin.

Unfortunately, it was an agreement that was struck between the federal government and the Manitoba government. It was an NDP government and a Liberal government at that time — federally Liberal and provincially NDP. They did this social experiment and then unfortunately it was closed down — governments changed and conservatives rolled in and shut the program down — no more money. All of the studies and everything were filed away. Fortunately, now the boxes have been discovered.

They have been opened up and are finding that this guaranteed annual income had a very significant, positive impact on people's lives on many, many fronts. That is just one suggestion. We do not need to have social assistance as it's set up right now. We can, within the territory, set up a guaranteed annual income. We could do that. That's just one suggestion. I think it's a very significant one as well and one that I will definitely be championing, and I believe the NDP will continue to champion, because it's for all people, no matter what their conditions. It guarantees a threshold a person will not fall below.

Ultimately, if we come together and vote for this motion, we can move forward within a few months and have a summit. From that, experts in the field, people who are working out there right now — whether it's from the Salvation Army and dealing with the homeless, whether it's the food bank people, whether it's the Anti-Poverty Coalition — out of that will come something that we've been asking for, for so many years. That is, of course, the poverty strategy — that it's necessary for us to

set a course for down the road on how we deal with the problems that are facing this territory and continue to grow.

It doesn't matter which government is in place. We need a blueprint that any government — whoever is elected — will be able to follow and will be held accountable to follow.

So, as I say, we don't have much time. I know there are some people who do want to speak to this. I do want to see a vote. If there's no vote on this, I'll be very, very disappointed, and I think the people of this territory should be extremely disappointed in anybody who tries to filibuster this one.

So, thank you, Mr. Speaker, and I look forward to the comments from my colleagues.

Hon. Mr. Hart: I do have a lot of notes on this subject, but I will try to eliminate some of them in order to try to get through this afternoon also.

I'm extremely pleased to be able to speak to this motion put forward by the Member for Whitehorse Centre. The creation of the government strategy that has, at its heart, building a more inclusive Yukon society is one that we see as a moral obligation and one we are fully committed to. We want the Yukon to be a place where all citizens have a fair and equitable opportunity to participate in its cultural, social and economic growth.

Social inclusion is used and is often misunderstood. It must be best explained as a political response to social inclusion. In 1993, the Commission of the European Communities best articulated what is commonly understood to be meant by social inclusion, and I'll paraphrase it: social inclusion refers to the multiple and changing factors that result in people being excluded from normal exchanges, practices and rights of modern society. Poverty is one of the most obvious factors. But social inclusion also refers to inadequate rights in housing, education, health and access to services.

To develop a strategy focused solely on economics of poverty would not only be arbitrary and restrictive, it would also be unfair and unjust. As the member opposite just stated, it's important that we cover the whole aspect of why people are where they are so we address all the situations — not just one at a time.

A strategy rooted in a goal of increasing social inclusion, however, acknowledges that the society's future success is intertwined with the success of its citizens. The creation, therefore, of a social inclusion strategy for the Yukon will allow us to enter into a new dialogue and use new language and perspective when we talk about poverty reduction and the health and wellness of all our citizens. It is also a language not of entitlement, but of opportunity for personal initiative.

I'm going to try to move over some of these things.

I would also like to bring up a quote that was first made in a speech by the Hon. Ursula Stephens, a senator for the Commonwealth of Australia, in her role as the parliamentary secretary for social inclusion in the voluntary sector. I'm just going to quote from this particular aspect — “Social inclusion takes as its starting point the reality that some people in our community suffer entrenched disadvantage, a deep disadvantage that is not just limited to poverty but also prevents engagement in any

facet of Australian life — whether that be economic, social or civic. Social inclusion is about addressing this and ensuring everyone has the right and the opportunity to seek to fulfill their potential. It recognizes that this potential can be fulfilled in any number of ways according to the interest and talents of that individual. It could be through learning in academic or vocational institutions, working in paid employment or participation in the life of the community. Social inclusion also demands that people have a voice, and that it is heard.”

Mr. Speaker, the Hon. Ursula Stephens also spoke of the importance of the interaction between the business community, civil society, the government and as it relates to the success of the actual social inclusion strategy — a not insignificant observation as we sit here today debating this motion. As the member opposite stated, it’s important that we have a situation where we have everyone in the tent. We involve everyone in our process in bringing forth the situation to the House.

I did announce last month our strategy and what we were looking for. We are in the process of doing that, and in fact, Mr. Speaker, we will be holding our first interdepartmental discussion on this social inclusion early in December and going forth on this particular situation. We will be trying to set up very early in the new year a conference that will involve as many people as we can get into Whitehorse. We have spoken with the national anti-poverty association, which has offered their services where required and given us strong bonus points with regard to the steps we are taking in this particular venue of developing our strategy. We have had strong involvement of the local anti-poverty association and again their support in moving forth on this issue.

I think it is important that our goal — simply stated — is ambitious and it is to have in place a social inclusion strategy that has specific and measurable goals and objectives, is creative and collaborative, is evidence-based and is premised upon the commitment to constant improvement, accountability and renewal.

It’s important for us to move forward on this issue; it’s important for us to get the information but, most important, it’s to include everyone we can in this issue so we can move away from having poverty be an economic issue and have it basically addressed to ensure that all issues as they relate to government follow the test in ensuring they are inclusive of all Yukoners and are not exclusive. That’s a very important issue with regard to social inclusion.

The main feature here is to ensure that we are dealing with the individual versus a group, and ensure that everyone is heard with regard to their situation, as was stated. We look forward to moving forward on this very important issue with all those involved. We will be supporting this motion, for sure.

Mr. Mitchell: I thank the two members who have previously spoken to this motion. I can agree with almost everything I’ve heard. First of all, this is an important motion and we will be supporting the motion as tabled today, as well.

We do support this type of summit. It’s disappointing that government hasn’t acted on this sooner or on its own volition. But you know, I was a little surprised when the Leader of the

Third Party brought forward this motion, because I thought I heard at the Anti-Poverty Coalition meeting last Thursday night that this was already on the agenda for the spring. But regardless of why it’s happening, it’s important that it’s happening.

I ran back into the office after the vote on the previous motion and just grabbed one of — I don’t know how many files. This is just one file on the Anti-Poverty Coalition and anti-poverty strategy. This file has documents, memos and news articles dating back to 2001. It makes reference within it to the time of the NDP government that was there in the late 1990s. So the NDP government was looking at this issue and the Liberal government was looking at this issue.

The government of the day is saying that they’re looking at this issue and frankly, Mr. Speaker, it doesn’t reflect well on any of us in our office. I could bring in 10 more files like this, Mr. Speaker. I have file after file of well-intentioned notes, motions, memos, dealing with everybody’s earnest desire to fight poverty and yet here we are getting ready to go out again and try to get it done. I hope we do get it done, Mr. Speaker, because I for one am tired of receiving invitations to speak or attend rallies, memos for fundraisers, requests to raise issues in this Assembly, realizing that our predecessors dealt with this and they had the same requests and we haven’t gotten it done. You wouldn’t think it would be that hard. There are some 35,000 Yukoners. You would think that in a jurisdiction that is so sparsely populated as ours, we would be able to figure this out. I think we have the second highest average income in all of Canada — second only, I think, to Nunavut — and yet here we are talking about poverty again.

We have no permanent youth shelter after seven years of this government having been in office. It hasn’t been a priority. We’ve seen the Youth of Today Society try to do it on their own and named the house they are trying to purchase “Angel’s Nest” after someone for whom our efforts arrived too late. Because while we were all debating it and talking about it and earnestly talking about how important it is, there are youth at risk who are suffering and some are dying. That doesn’t reflect well on any of us.

I know how passionately the Member for Whitehorse Centre has talked about this issue for years, and I will put on the record today that I respect him for having done so. He’s not the only one who cares about this; I think everyone in this Assembly does. So why aren’t we getting it done? Why have we waited seven years into this government’s two terms to call a summit? Why do we have, as I said earlier today, 1,200 people in the City of Whitehorse availing themselves of the food bank?

I know the Health and Social Services minister has talked about the funding that has gone from the government to the food bank. You could speak to any director of that food bank, or the executive director, and every one of them will tell you that they look forward to the day when there’s no need to have a food bank.

We’ve seen the Salvation Army and Maryhouse struggle under the load and the burden of trying to address this issue over the years. Now we have the Food Bank Society. In this time of plenty, in this time of rising salaries, and in this time of

tourism and mining success that we hear about from the members opposite, we have the biggest number of people that I can ever recall making use of a food bank. Will this summit spur the government to action? I certainly hope so. I certainly hope so, because for years, based on questions and answers in this Assembly, the government didn't have a direction or a plan — a coordinated plan to deal with this. We can try to get the ball rolling with the summit. I agree with both members who have spoken — both from the government and from the Third Party — on the importance of it. The one thing I can't agree on with the Member for Whitehorse Centre is that we spent too much time talking about a motion of non-confidence when we could have been debating this motion, because frankly, we don't all need to put lots of information on the record on this motion. We need to get it done. It should have been done seven years ago and frankly it should have been done under previous Liberal governments and previous NDP governments — no one is holier than anyone else on this. It should have been done and members opposite think that is funny. That is right — it should have been done by every government that has been here.

I hear chirping from the Member for Porter Creek Centre. I hope he takes this seriously because members on this side do. He doesn't have to worry; I will sit down and we'll vote on it. I will exercise my democratic right to speak to it. If the Member for Porter Creek Centre wants to speak to it that is his democratic right. We are tired over here of people telling us who should speak and for how long and on what issues.

I do support this motion. I will note for the record that the Anti-Poverty Coalition, which clearly supports this moving forward and wants there to be a forum this spring also has spoken and said that they don't want it to be whitewashed by only calling it “social inclusion”.

They would like for things to be referred to as an anti-poverty and social inclusion strategy because their concern is that if we use too much Newspeak, we may forget just what we're talking about. I think it's important that we don't forget that there are people living in poverty.

If this government is serious about it, they'll move forward with it, and we in the Official Opposition can certainly support it. We believe that if there had been a call for an election earlier this afternoon, maybe things would have moved forward even more quickly under a new government. We will certainly hold this government's feet to the fire and see the progress they make moving forward, because it's too important.

Society — as we've often said, and we've heard it said here by more than one person — is only as strong as how it treats its least fortunate members. We haven't done very well by our least fortunate members in Yukon in recent years.

Thank you, Mr. Speaker.

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

Mr. Hardy: We're talking about poverty. That's what we're talking about. We're talking about poverty in our society, the impacts poverty has on our society, the costs of poverty to the people — the children and the seniors who live in poverty

— the impact poverty has, whether it's lack of nutritional food, decisions where people can't participate fully in society, the stigmatization of poverty, of having to go and get assistance, the doors that are closed in your face, the lack of opportunities to grow and become a full member of our society, the spiritual degradation of the person when they can't make it and they're struggling. We're talking about poverty.

I agree with the member who just spoke — the Member for Copperbelt — about language. It's important that we don't lose the language that we're talking about. I have always called it “anti-poverty summit” — that's really what it's about. Social inclusion is wording that has grown across the country and around the world.

That's fine if the government wants to use that and talk about expansion, but ultimately poverty is poverty — those who have not enough to live a full and rich life. We are an extremely rich society. We are so unbelievably fortunate that we should be able to share this wealth a lot better than what we do today. We should be able to ensure that no child goes hungry, no family is without, no single person lives in conditions that are intolerable in most cases that affect their health and their well-being.

If we don't deal with poverty as it exists in our society today, we pay in another way. We pay in a multitude of ways, actually. It could be the increase of crime, the increase of abuse. It could be the increase of costs within our health care system to care for people who have not been able to afford good nutrition. It could be people that feel marginalized and shut out of our society.

Ultimately, if we ever sat down and figured out how much poverty costs, I think it would be far cheaper to ensure people were given at least a living wage, a guaranteed income of some sort. Remove the stigma. Set a threshold that we will not allow people to go under. We need to look at housing and if good quality housing is available. We need to look at education and the ability of all people to participate. We need to look at so many different areas.

That is really what defines us as a community and a society — how we care for those least fortunate in our society. Not a single one of us in here is living in poverty. Some of us actually have far more wealth than most people in our society, and others are living very, very good, comfortable, middle-class lives.

Some of us have come from poverty and can speak with authority about it. Some of us have families, relatives or friends who live in poverty and struggle. I live downtown. I see poverty. I see the impact poverty has on the quality of life and the decisions people make every single day on my street, on the park that is right outside my door, right downtown, on the businesses, the organizations — whether it's the Salvation Army, Maryhouse, FASSY, Blood Ties — it doesn't matter. Every day, we see it. We have the food bank. The food bank is only four blocks from my house. Every day I see the impact. I live in that area. I don't drive home to a place outside. I live right downtown. Many of us have seen poverty and live with poverty, and have realized that we haven't done enough.

I'm not pointing fingers at any government or party. We all believe strongly, I believe, that, ultimately, people deserve some dignity in their life and, as a caring society, each of us can help lift somebody out of the struggles that they have. That's what the summit is about. Once piece — just one piece. But, finally, maybe, we can all come together instead of piecemealing it, trying to solve the problem.

We can all come together and share the stories, share experiences, come up with some solutions — united — to deal with the poverty that exists within the Yukon and not be afraid to look at it straight in the face and say, "It does exist." We owe it, as elected members, to make this happen. That's what's important.

I believe — and it was mentioned earlier — that every member in here believes strongly about addressing this issue. But I also believe that we do need opportunities — because I heard it in the previous motion — that every person should speak. But we didn't have enough time to allow that.

What's more important is how we come together and vote on it. And, seeing the time, to ensure that we do have a vote and we can move forward, I will close my comments now. But I have only one thing to say — let's work together on this one. We have different opinions and different approaches. That's what makes us different parties. We're all together on this one. Let's work together on it. Let's solve the issues and ultimately maybe we — at least in the Yukon — can set an example that other territories and provinces can follow that will address the serious issues that poverty has upon our society.

Thank you.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Fentie: Agree.

Hon. Mr. Hart: Agree.

Hon. Mr. Kenyon: Agree.

Hon. Mr. Rouble: Agree.

Hon. Mr. Lang: Agree.

Hon. Ms. Horne: Agree.

Mr. Edzerza: Agree.

Mr. Nordick: Agree.

Mr. Mitchell: Agree.

Mr. McRobb: Agree.

Mr. Elias: Agree.

Mr. Fairclough: Agree.

Mr. Hardy: Agree.

Mr. Cardiff: Agree.

Clerk: Mr. Speaker, the results are 14 yea, nil nay.

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

Motion No. 851 agreed to

Mr. Nordick: I move that the House do now adjourn.

Speaker: It has been moved by the Acting Government House Leader that the House do now adjourn.

Motion agreed to

Speaker: This House now stands adjourned until 1:00 p.m. tomorrow.

The House adjourned at 5:20 p.m.

The following Sessional Paper was tabled November 25, 2009:

09-1-139

Yukon Judicial Council 2008 Annual Report (Horne)