

**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, April 26, 2010 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

Speaker: We will proceed with the Order Paper. Tributes.

TRIBUTES

In remembrance of Peter Eric Jensen

Hon. Mr. Lang: Mr. Speaker, I rise today to pay tribute to the late Pete Jensen. Originally born on a farm in New Brunswick, Pete made a career with the RCMP in Dawson City. After 10 years, he chose to put down roots in the place that he loved, rather than risk a transfer. Pete Jensen Outfitting opened in the Ogilvie Mountains in the spring of 1965. Up until his death at the age of 70, Pete remained the longest serving big game outfitter in North America.

His commitment to high quality wilderness experiences was proven throughout his 45 years of service. His mentorship has produced young outfitters who remain successful in the business today.

His wife Sharon played an important role in their outfitting business. Pete had her start as a cook in the camps in 1969, as long as she promised to be quiet. Sharon said she was quiet for the first year. Then they were married in 1975 and have since built a hay ranch, hunting cabins for the business and an indoor riding arena near Whitehorse. Pete has two sons, Peter Jensen and Kirk Potter, a daughter, Jackie Read, and five grandchildren.

Pete Jensen was not only a giant in the local industry but was presented last year with the Legend Award by the Grand Slam Club/Ovis, an organization of hunters and conservationists dedicated to improving and perpetuating wild sheep and goat populations worldwide. This distinction is bestowed on people who make a contribution to the big game industry.

I ask my colleagues to join me in recognizing the late Pete Jensen, a legendary Yukoner, who for over 45 years passionately showcased the best the Yukon has to offer.

I would like to take a moment to introduce Sharon. Sharon is Pete's wife, and of course, his son Peter — I'm losing track of people — and all his friends who came this afternoon to be here during this tribute. Thank you very much.

Applause

In recognition of National Immunization Week

Hon. Mr. Hart: Mr. Speaker, on behalf the House, I rise today to ask my colleagues to recognize April 24 to May 1 as National Immunization Week.

Monsieur le président, j'invite mes collègues à se joindre à moi pour souligner la Semaine nationale de promotion de la vaccination, qui a lieu du 24 avril au 1^{er} mai 2010.

Immunizations save lives. They have saved more lives in Canada over the last 50 years than any other health intervention. It wasn't too long ago that many children suffered and even died from infectious disease such as German measles, diphtheria, polio, mumps and whooping cough.

In Canada we are fortunate that vaccines are readily available to protect us from contracting and spreading these diseases; however, other countries in the world are not so fortunate, and many children succumb to these easily preventable diseases. According to the 2006 data from the World Health Organization, in Haiti only 53 percent of the children are immunized against polio, leaving them susceptible to this paralyzing and sometimes deadly disease.

While Canadians have easy access to vaccines, a number of us are behind on our immunizations. It's easy to forget to bring our children in for their booster shot or we might put off making an appointment until we have more time. This can lead to outbreaks of measles and mumps as recently seen in other jurisdictions.

To help Yukoners get their children up to date on their immunization during National Immunization Week, Whitehorse Health Centre has extended its drop-in times for immunizations for children five years of age and under.

Afin de permettre aux parents yukonnais de mettre à jour la vaccination de leurs enfants, le Centre de santé de Whitehorse a prolongé les heures d'ouverture de la clinique de vaccination sans rendez-vous pour les enfants de 5 ans et moins durant cette semaine.

Children are not the only ones susceptible to vaccine-preventable illnesses. Many immunizations require a booster after a number of years. Teenagers and adults are encouraged to call or to visit their local health centre to ensure that their immunizations are up to date. Not only are under-immunized adults at risk of contracting the disease themselves, they can also infect others, such as infants who may not yet be fully immunized.

We are encouraging pregnant women to get the unadjuvanted vaccine for H1N1 in the event of a third wave this summer. I encourage all Yukoners to ensure that their immunizations and their children's immunizations are up to date by calling their local health centre. We have the tools to protect ourselves, our children and others around us and we need to use them.

Speaker: Any further tributes?
Introduction of visitors.

INTRODUCTION OF VISITORS

Speaker: Honourable members, I'd like you to join me in welcoming the former Information and Privacy Commissioner and Ombudsman, Hank Moorlag. He's here with several of his RCMP colleagues in a tribute to outfitter Pete Jensen, so please join me in welcoming Mr. Moorlag.

Applause

Speaker: Returns or documents for tabling.

TABLING RETURNS AND DOCUMENTS

Mr. Cathers: I have for tabling today a letter I wrote to the Minister of Community Services, asking that he work with the City of Whitehorse to make the rural well program available within municipal boundaries to my constituents and others.

Speaker: Any further documents or returns for tabling?

Any reports of committees?

Any petitions?

Any bills to be introduced?

Any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Yukon government to call a public inquiry, under the *Public Inquiries Act*, to investigate all matters relating to the death of Raymond Silverfox on December 2, 2008, while in RCMP custody in order to:

(1) determine whether there were steps that should have been taken in the care and custody of Mr. Silverfox that would likely have prevented his death;

(2) determine whether changes made in RCMP procedures for dealing with people in custody since the death of Mr. Silverfox are sufficient to prevent the occurrence of a similar incident involving the death of individuals in custody; and

(3) consider what additional steps, including but not limited to the establishment of a Yukon independent civilian oversight and advisory board should be taken to improve the treatment of people held in custody by the RCMP.

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

THAT this House urges the Government of Yukon to conduct public consultations about the establishment of a Yukon independent civilian oversight and advisory board that will provide accountability, fairness and transparency by ensuring that adequate and effective policing and correctional services are provided to the territory in a fair and accessible manner.

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

THAT this House urges the Yukon government, as a health care priority, to establish a medical detoxification unit within Alcohol and Drug Services to assist patients suffering from severe drug and alcohol reaction and to provide supportive help by:

(1) ensuring patients will receive flexible and appropriate care, including medications;

(2) providing a protective and supportive environment for patients;

(3) alleviating the overuse of hospital and ambulance services for substance abuse problems;

(4) preventing needless deaths; and

(5) allowing for immediate follow-up counselling and after-care services post-detoxification.

I give notice of the following motion:

THAT this House urges the Yukon government to provide a cost-benefit analysis to support the decision by the Department of Health and Social Services and the Yukon Hospital Corporation to use private agencies to recruit registered nurses on contracts for periods ranging from two weeks to one year.

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

THAT this House urges the Yukon government to enter into discussions with the City of Whitehorse aimed at reaching an arrangement that allows Yukoners living inside municipal borders to access the rural well program.

Speaker: Any further notices of motion?

Is there a statement by a minister?

Hearing none, that brings us to Question Period.

QUESTION PERIOD

Question re: RCMP holding cell policy

Mr. Inverarity: On Friday afternoon the coroner's inquest looking into the death of a Carmacks man wrapped up. The inquest heard the individual was left largely unattended in the drunk tank for about 13 hours. He was found unresponsive in the cell and was rushed to the hospital where he later died. The events we are talking about occurred in December 2008, some sixteen months ago.

The Minister of Justice signs the policing contract with the RCMP on behalf of the government. Can the minister tell the House and all Yukoners who have been following this tragedy what has changed since the death occurred in terms of treatment of individuals who find themselves in the local drunk tank?

Hon. Ms. Horne: If the member opposite was following last week, we had an announcement that the RCMP and the Yukon government are going out for consultations with Yukoners to review this very thing.

I would like to extend my condolences to the Silverfox family. It was a tragedy, and we hope that will not happen again. I look forward to the review that is going on throughout Yukon.

Mr. Inverarity: It is 16 months too late, I think, for the individual involved.

Mr. Speaker, Yukoners are very upset about the events of December 2, 2008.

The coroner's inquest has been full of very disturbing testimony and people are shocked at what went on. The minister is responsible for the contract with the RCMP in the territory. She has, and the government has, the responsibility to make requests of the RCMP with regard to that contract. Some time ago there was a request to the RCMP to put more focus on street crime reduction, for example. Yukoners want to ensure that the event that happened in 2008 never happens again.

Has anything changed since that day to today, other than what was announced last week, and has the minister given any direction to the RCMP regarding any changes?

Hon. Ms. Horne: As we know, the coroner's inquest just completed the process over the weekend and it did contain

four recommendations: three to the RCMP and one to the commissionaires. Again, I reiterate, this is the reason that we are working cooperatively with the RCMP to review our policing strategies in Yukon to make sure our Yukoners are safe — that they feel comfortable with the RCMP's procedures. I am confident that we will gain results from this.

Mr. Inverarity: Mr. Speaker, my colleague, the MLA for Mayo-Tatchun, sat in last week on the inquest. He said there is so much frustration there among the family, First Nations and others, and improvement needs to take place. That's the essence of the question I have been asking today. It has been 16 months since this event took place. What improvements have been made, and is the minister satisfied that better policies and procedures are now in place?

Hon. Ms. Horne: Mr. Speaker, as I just said, we are going out to review the policies regarding inmates, or people held in custody. I am sure the results we get from going out to Yukoners will be favourable. We will have changes. As I said last week, now is the time for change, because we have a new contract coming up next spring.

Question re: RCMP holding cell policy

Mr. Mitchell: Mr. Speaker, I would like to follow up with the Premier on the same issue. Under the *Public Inquiries Act*, the Government of Yukon has the ability and the authority to call a public inquiry into any matter of public concern. A coroner's inquest that wrapped up on Friday raised as many questions as it answered. The main question left in everyone's minds is: could this death have been prevented? A public inquiry could help answer that question.

Will the Premier call a public inquiry into the events surrounding the death of Mr. Silverfox?

Hon. Ms. Horne: Mr. Speaker, as I just said, the coroner's inquest just ended this weekend. The recommendations have been put forward. We had four recommendations: three to the RCMP and one to the commissionaires. We'll have to follow the process through, and we are going out for a review with Yukoners on the policing policies in Yukon.

I'm confident we will have favourable results and make changes after that. It is the season for change; we're coming up to a new contract with the RCMP next spring.

Mr. Mitchell: We've read the findings of the coroner's inquest and we've heard from many Yukoners, and Yukoners feel that it's not enough. A public inquiry would answer a lot of unanswered questions, questions such as was the death of this Yukoner preventable? It could also determine whether changes made in RCMP procedures for dealing with people in custody since the death of Mr. Silverfox are sufficient to prevent the occurrence of a similar incident.

Again, this question has not been resolved by the recent coroner's inquest. The government has the ability and the authority to call such a public inquiry. Will the Premier or the Justice minister call a public inquiry to examine the events — all of the events — surrounding the death of Mr. Silverfox?

Hon. Ms. Horne: I understand that the RCMP are now reviewing the recommendations put forward by the coroner's inquest and will be making a statement in the coming days as to how they intend to implement them. In the context of

the review of the Yukon's police force, officials in the department will be following up with the RCMP commander to discuss the implementation of the recommendations. The departments of Justice and Health and Social Services applied for and received joint funding from northern strategy trust to undertake research on alternatives for dealing with chronic inebriation.

Mr. Mitchell: A public inquiry has a much wider scope than the recently concluded coroner's inquest. Yukoners are looking for answers to some very troubling questions about how a man went into custody and did not come out alive. This is a very serious issue and one that we believe needs to be looked at in greater detail. An inquiry would consider what steps could have been taken to prevent the death of Mr. Silverfox. It would determine whether changes that have been made since then are sufficient to prevent something like this from happening again. Finally, it could look at larger questions such as whether there needs to be more civilian oversight of the RCMP itself and the issue of how complaints made against the RCMP are handled. A public inquiry would examine all these issues and would shed light on the matter. Will the Premier call a public inquiry into this matter?

Hon. Ms. Horne: The Yukon's RCMP review will do exactly this. I would say, let's not use this terrible tragedy as a political football; let's let the process follow through so this does not happen again. We will ensure something is done; it is time for change.

Question re: COR certification

Mr. Cardiff: In light of the news that we received this morning, these are important questions — but difficult questions — to ask today. The certificate of recognition program was designed to create safer workplaces and thus reduce injuries. The Yukon government started requiring that employers are COR-certified if they want to get contracts with the government. The plan was that any contracts awarded valued at over \$100,000 would require COR certification by January 1, 2010. That has been postponed until January 1, 2011. Mr. Speaker, worker safety delayed is worker safety denied. Can the minister tell us why the delay?

Hon. Mr. Lang: Thank you, Mr. Speaker, and thank you for the question from the member opposite. Certainly, we are working inside the government putting COR certification together, not only for the contractors, but also for ourselves as a government. This is a fairly recent process and we certainly were committed to have it phased in over a period of time. We found through the process that the lower figure or the number of individuals and the work that would have to be done — we gave any individual under \$100,000 — I think that is that figure. I don't have the figures right with me. We are working with them so that in 2011 we can come out and be COR-certified throughout the territory for any contractors who work with us here in the government.

We have to make sure that we're reasonable about this. As the member says, if you have a small contract doing lawn work in front of the Education building, do they need quite the certification if, in fact, a gentleman does it by himself as a contractor? I'm not diminishing the fact that people get hurt on the job and that it's important, but we were approached by many, many

individuals who just didn't have the expertise on hand nor the manpower to get the thing done, so we gave them a 12-month extension.

Mr. Cardiff: I can appreciate that the government doesn't want to exclude Yukon employers from bidding, and there are a lot of contracts in the \$100,000 to \$500,000 range that small employers would bid on, but the government has a duty to promote health and safety while it also pursues fairness in contracting. It has a powerful incentive to get employers to become COR-certified; it had a deadline that said, get health and safety certified or you can't get government jobs.

To date, only seven small employers are certified and when it extends the deadline by a year, the government is saying, don't worry about getting certified. What will the impacts of this delay be on the safety of workers?

Hon. Mr. Lang: We're doing just that. We're working with those small contractors to make sure they can conform and, by 2011, that they will be COR-certified. But we have to understand that it does take individuals to go out and do the coursework, which is demanded of us when we're COR-certified. Also, the paperwork is very extensive and some of our local contractors felt if they had another opportunity of 12 months, they could do this. This government decided to work with those individuals and give them that extension.

Mr. Cardiff: Well, Mr. Speaker, some employers took the government at its word the first time around and invested in getting COR-certified or SECOR-certified. Now the government, by creating this extension, has created a double standard by allowing some employers to skip out for another year, basically. The minister should have done more to promote this issue. He needed to communicate a culture of safety better. He needed to be more aggressive in encouraging companies to get COR-certified instead of just backing off the issue. I would like to hear what the minister's plan is to avoid this failure happening again. What is he going to do to get more businesses signed up for the safety certification before the deadline, or are they going to extend it again?

Hon. Mr. Lang: In addressing the member opposite, we are working with those individuals or companies to get them COR-certified. That is exactly what this government is doing. When we went out and worked with these responsible contractors, they found, because of their lack of expertise and the lack of the manpower in their offices or whatever, that they needed an extension. This government gave them the extension and we are working with those individual contractors to make sure that they eventually, within 2011, are COR-certified.

This is exactly what governments do. We listen to people. A big part of our major contractors is COR-certified. We are working internally to get our departments COR-certified. Everybody is working toward a common goal: to be COR-certified. We are working with those small contractors to make sure they are comfortable with COR certification and that they can do the work that's required to stay COR-certified. It's not just the fact that you are COR-certified, it's what you do when you are in fact COR-certified, and how do you maintain that over a period of time? We are talking about small contractors here, Mr. Speaker — people out there in the communities. People in

Dawson City, Mayo, Keno, all these small communities — they don't have the horsepower that the people in Whitehorse have. They don't have access to the individuals they need. They talked to us. We gave them an extension, and we're —

Speaker: Thank you. New question.

Question re: Health and safety inspections

Mr. Cardiff: Mr. Speaker, recently food inspectors closed down some Yukon restaurants for public health violations. These actions were highly publicized — in some cases while diners were still eating their lunches. We know that the Yukon Liquor Corporation has increased the number of inspectors at their disposal to do spot checks for *Liquor Act* violations, whether it's underage drinking, serving intoxicated patrons or other matters. Information on these violations is public. Do we have enough Occupational Health and Safety inspectors, and do inspectors have the powers to correct or shut down unsafe workplaces?

Hon. Mr. Hart: We are working through the Workers' Compensation Health and Safety Board. They are our policing aspect for holding out the Occupational Health and Safety Board recommendations and following through on their inspections. Our officers are on schedule throughout the entire Yukon. We have a process whereby we visit each of the communities to ensure we cover all the facilities that are necessary to ensure the safety of all Yukoners is being maintained.

Mr. Cardiff: We know that in 2008, four Occupational Health and Safety officers dealt with more than 400 referrals, leading to 115 investigations and 369 compliance orders to Yukon businesses. One investigation resulted in a prosecution.

Is the workplace inspection process working well? Do inspectors have the power to shut job sites down? When there are safety violations, do we have adequate rewards or penalties to effectively change the situation? It appears we do not. After all, the Workers' Compensation Health and Safety Board president and CEO said the injury rate is going up. The number of injuries is the same, but the workforce is smaller.

Will the minister immediately order a review on how workplace inspections are conducted, staffing levels, penalties for violations and other important matters that will reduce workplace injuries and deaths in the Yukon?

Hon. Mr. Hart: I'm not sure how I will respond to that, although I will indicate to the member opposite that he had ample — we will look at providing for the Workers' Compensation Health and Safety Board to come in as witnesses, We will provide that service as we do on an annual basis. I'm sure that he can bring up that question for the chair and president to respond to.

Mr. Cardiff: Well, Mr. Speaker, it's about safe workplaces and a culture of safety. Within a culture of safety, every worker would be responsible for work safety and would be empowered to speak out and refuse unsafe work. Within a culture of safety, every business would live up to their responsibility of providing a safe workplace.

How do we create a culture of safety? We must open a very public dialogue. Restaurants that violate public health rules, bars that break the *Liquor Act*, shopkeepers who sell to-

bacco to minors — there's a public notification process where the public is notified. Why is there a different standard for unsafe workplaces?

Workers should know if their workplace is unsafe and we should not continue to prevent the disclosure about employers with a bad safety track record. It's done in other jurisdictions.

Is the minister prepared to change his mind and order the Workers' Compensation Health and Safety Board to publicly disclose the names of businesses with bad safety records?

Hon. Mr. Hart: To respond to the member opposite, I think he has already had a discussion with the witnesses of the Workers' Compensation Health and Safety Board with regard to the last question. I will state, though, for the record, that the Workers' Compensation Health and Safety officers have the authority to go in. For example, in road construction areas, they have gone in and where workplaces have unsafe conditions or workers are working in unsafe conditions, have closed down that unsafe condition and advised the contractor of so being. That is being done in the process. Also, yes, we are very busy under that process and ensuring that everyone is working under a safe process. We are working on a schedule that ensures that the entire Yukon is being covered and that we have a regular schedule to ensure the safety of all Yukon workers.

Question re: *Civil Forfeiture Act*

Mr. Inverarity: Last week the Minister of Justice indicated that she had no reason to delay the *Civil Forfeiture Act*. For the record, we supported the motion last fall that called for the development of this legislation. At the time, we believed this was a good idea in principle and we still do. The fact that the government only consulted with two stakeholders is a concern however. Crown prosecutors and police cannot provide representation for all Yukoners.

I would like to set the record straight. The proposed *Civil Forfeiture Act* does not have adequate safeguards in place to protect the innocent. Why does the minister refuse to get wider consultation on the *Civil Forfeiture Act*? Is she afraid of something?

Hon. Ms. Horne: We are very open to receiving amendments from the members opposite, from the Liberal Party, to let us know where our act can be corrected. If they feel that innocent people will be prosecuted, give us your suggestions of amendments.

Mr. Inverarity: If the Minister of Justice actually asked more Yukoners what they thought about this legislation, she would find out what is actually missing. She would hear Yukoners tell her that they don't want the government to have the power to seize property and wealth without adequate oversight in place. If the minister were listening, she would hear Yukoners, and they are telling her to include advocacy and representation in this legislation.

If the government is seizing a Yukoner's property through civil court, then the government should also provide legal representation if it's warranted. The criminal justice system has the same service. Will the Minister of Justice include provisions for the government-appointed legal representation in the *Civil Forfeiture Act*?

Hon. Ms. Horne: If the courts find that forfeiture of property is not in the interest of justice, the court would refuse to issue or limit the application or put conditions on a forfeiture order. This same type of legislation was put in place in eight other jurisdictions in Canada, and some of that was put into place and then the RCMP was advised after the fact that the act was in. We have gone out; we have done targeted consultation; we have done our consultation on this act and we are open to receiving amendments from the Liberal Party.

Mr. Inverarity: In a lot of jurisdictions around the country and the United States too, they are actually looking again at this act because it didn't go out for public consultation. We have repeatedly asked the Minister of Justice to withdraw Bill No. 82, the *Civil Forfeiture Act*, pending public consultation. The government made a commitment to Yukoners in January 2006 that the public would be consulted on SCAN legislation, and this never happened.

The Minister of Justice told us last week that SCAN legislation was in fact developed from targeted legislation also. We are very concerned about the fate of Bill No. 82. We know the government can pass this bill without any further debate or consultation and we want to make sure that does not happen.

Will the Minister of Justice make a commitment to Yukoners that the *Civil Forfeiture Act* will at least receive further debate in this House before it's passed?

Hon. Ms. Horne: The act does ensure that there are sufficient remedies in place for those whose property is in question, to be able to show that the property is not being used for unlawful activity without their knowledge. The ones who have something to fear here are the ones who are doing activities that are unlawful. They are the ones who have to worry.

Question re: *Civil Forfeiture Act*

Mr. Elias: Same minister, same topic. Mr. Speaker, there are good reasons to delay the Yukon Party's *Civil Forfeiture Act*. The legislation does not have adequate provisions in place to protect the innocent. The government will be granted the power to seize any person's property and wealth with this law. Maybe the minister can correct me if I'm wrong, but I understand this also includes corporations. There is very little that protects an individual from a government-initiated civil action and nothing that assists the individual if this actually happens. The fact that the Yukon Party government only consulted with two stakeholders is of concern to us, Mr. Speaker.

Crown prosecutors and police want this legislation, and we want it as well, but not like this. Will the minister delay the passage of the *Civil Forfeiture Act* until protections can be put in place?

Hon. Ms. Horne: Mr. Speaker, there are many safeguards in place to protect the innocent parties involved. This is just another tool that the police can use and the government can use to make safer communities for our Yukoners, to have a safe community to raise our children and to ensure that criminal activity is not welcome in Yukon. It is in place in eight other jurisdictions. It is working effectively. We have based our legislation on those eight jurisdictions.

Mr. Elias: First of all, we are not going to predetermine what Yukoners would say about this legislation, and that

appears to be what the Minister of Justice has done. Mr. Speaker, it is obvious that the Minister of Justice needs to talk to Yukoners about this legislation. She needs to hear Yukoners tell her that they want the government to be tough on crime, but not at the expense of innocent people. I've said this before: in the other eight jurisdictions the Minister of Justice keeps referring to, there are innocent people who had to go to civil forfeiture court and defend their house, defend their personal property, try to get their vehicle back, and that's why we're trying to make sure that does not happen in this territory. The legislation needs solid and appropriate safeguards and support services in place for the innocent before it becomes law.

Does the Minister of Justice care about the innocent Yukoners who could be affected by the *Civil Forfeiture Act*?

Hon. Ms. Horne: I think we're using this again as a political tool. Of course we care about innocent Yukoners.

Some Hon. Member: (Inaudible)

Point of order

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

Mr. McRobb: On a point of order, Mr. Speaker, for the minister to suggest we're using this issue as a political tool is clearly contrary to our Standing Orders, and I would ask you to suggest the minister should withdraw that remark.

Speaker: The Government House Leader, on the point of order.

Hon. Ms. Taylor: Mr. Speaker, first off the Member for Kluane, the Official Opposition House Leader, did not reference a Standing Order, and I believe that there is no point of order, but I'll leave that for you to determine.

Speaker's statement

Speaker: If the honourable members would allow the Chair to do some research on this issue, I'll get back to the members this week.

The Minister of Justice has approximately 15 seconds left.

Hon. Ms. Horne: We have adequate protection for innocent parties in this legislation.

The *Civil Forfeiture Act* was developed based on best practices and experiences of other jurisdictions across Canada, especially Nova Scotia and British Columbia. This is not new legislation in Canada; it has been in place since 2001. It has been in place for eight years. It has been tried, and we have taken the best of the eight jurisdictions and are putting that into place in Yukon. We are concerned about protecting Yukoners from criminal activity.

Mr. Elias: The Minister of Justice continually says this is happening in eight jurisdictions in our country. What concerns me is that we want to hear from Yukoners about how this will work in Yukon. I really don't care what happens in Ontario or British Columbia or other jurisdictions — I want to know what Yukoners think about laws that will affect them. That's what I want to do, and that's why we're trying to get our point across.

Yes, go after the criminals; yes, take away the proceeds of crime; yes, teach our children that crime doesn't pay. The message we really want to give everyone is that crime isn't worth

it. This legislation will go a long way to help that, but it's not ready yet. The legislation is not ready to become law and Yukoners are not ready to accept this law as it is. Will the Minister of Justice include safeguards and support services in the *Civil Forfeiture Act*?

Hon. Ms. Horne: Again, if the property is being used for unlawful activity, then we would stop that criminal activity. Again, I say, if the Liberal Party has problems with this legislation, we are certainly open to hear comments. Nothing has been put forward constructively to help with this act to make it safer for Yukoners. If they feel it isn't, please come forward and let us know.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 85: *Act to Amend the Motor Vehicles Act, 2010* — Second Reading

Clerk: Second reading, Bill No. 85, standing in the name of the Hon. Mr. Lang.

Hon. Mr. Lang: I move that Bill No. 85, entitled *Act to Amend the Motor Vehicles Act, 2010*, be now read a second time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 85, entitled *Act to Amend the Motor Vehicles Act, 2010*, be now read a second time.

Hon. Mr. Lang: I am pleased to reintroduce Bill No. 85, *Act to Amend the Motor Vehicles Act, 2010*, and to make related consequential amendments to the *Liquor Act*. The proposed *Motor Vehicles Act* amendments will provide the legal framework for the Yukon government to begin issuing secure Yukon drivers' licences, as well as Yukon's first government-issued general identification card. The new driver's licence will have security features that meet North American driver's licence standards and help to eliminate issues Yukoners have faced when using the current licence in other jurisdictions. The general identification card will have similar security features and will confirm identity, age and residency. The new driver's licence and general identification card will also meet our commitments under the Yukon *Substance Abuse Action Plan* by providing businesses that sell age-restricted products such as alcohol and tobacco with a better tool to confirm age. Liquor licensees are doing their best to ensure that minors are not able to purchase liquor and also are not able to enter the bars, but they have continued to raise the need for more secure identification to assist them to control their premises.

Mr. Speaker, the changes to the *Liquor Act* contained in this bill will respond to that concern, as the Yukon Liquor Corporation will no longer be producing its own liquor ID cards. Application provisions for the general identification card and the driver's licence will also be similar, which will make it easier for Yukoners to apply for both. This will help the Motor Vehicles staff and the public as we roll out the new licences

and general identification cards this year. The cards will be produced right here in Whitehorse by our Motor Vehicles staff. Drivers' licences and general identification cards can be issued on the same day that they are requested by Whitehorse residents, and by rural Yukoners who deal directly with the Motor Vehicles branch here in Whitehorse.

In rural communities, Yukoners will still be able to apply and have their photo taken for drivers' licences or general identification cards at the offices of the territorial agents and territorial representatives. Their information and photo will be transferred electronically to the Motor Vehicles branch in Whitehorse, who will then produce and send out their cards.

Of course, there will be a period of transition. Existing Yukon drivers' licences will be valid until their stated expiry date. Existing liquor IDs will also be valid for a period of time after the new general identification card becomes available. This transition period will help ensure seamless service delivery to Yukoners and ease the move to a new system. Before Yukon begins to issue the new identification cards and driver's licence, we will provide information to the public and businesses selling age-restricted products about procedures related to the new cards and to a transition period.

I think it is very exciting news and, with the support of this Legislature for this bill, Yukoners can look forward to a new secure driver's licence and general identification card being available by the end of this summer.

Mr. Inverarity: First, I'd like to thank department officials for moving along with the amendments to the *Motor Vehicles Act*. I have to say it has been a long time coming and I understand that, while these are required for the next step, which is the actual issuance of them, I think we'll all support the amendments as we come up for the vote later today.

I would like to state for the record two or three things, if I may. The first one is that, as you know, I've been advocating for a new driver's licence for about two years now. So it gives me great pleasure to see that it will be coming along.

My original thought on this, or what was said I believe last fall, was that we should have these in place by this June. I'm a little concerned to hear that the minister said it will be late summer now, in the fall that would be coming forward. I hope that target date will be met at this point because there are a lot of people out there who have had a lot of issues regarding their drivers' licences. In fact, as late as last January when I was out in Ontario, I had issues with my driver's licence. It's a big concern to a lot of Yukoners.

It does bring up the question, as the minister had indicated, that our existing drivers' licences will continue to be valid until they have expired; however, perhaps in the final statements, the minister might be able to clarify a couple points. One would be: if I want to get one sooner than my expiry date — because I believe that could go as long as five years — would an individual be able to go in ahead of time to get a new one — particularly if they travel a lot, for example, and they want to use their driver's licence for getting on aircraft and along those lines? Certainly, for identification purposes it would be helpful.

I'd also like to know whether or not there's going to be any additional costs involved with regard to this legislation. Is it going to be the same price as it is currently, or will there be an additional amount to absorb the costs of moving to a new driver's licence? I'd be concerned about that.

Also, I think that the same-day production of the driver's licence should make the public happy. I believe that the original concern I had was that the actual production of the card would be sent Outside to some of these secure vendors that exist that do this sort of work. Having it kept in-house is a positive step forward, I would say, with regard to this particular act, so we look forward to supporting this at second reading.

Mr. Cardiff: This is good news, I believe, for Yukoners. As has been indicated by the Member for Porter Creek South and many of us through our own personal experiences and stories that we've been told, the use of the Yukon driver's licence in other jurisdictions has been a problem in the past. I believe that a new, more secure driver's licence is long overdue.

The only concerns — I shouldn't say "the only concerns", but many of the concerns have been communicated already. What I would like to know from the minister, as well as answers to the questions that have been asked by the Member for Porter Creek South, is about the security provisions of the licence. It's my understanding that there are three, one of which is secret, which I can understand, because you don't want to give that information out to those who might try to counterfeit the licence. What I'm interested in is what type of information is connected with the licence and what are the security provisions?

In some other jurisdictions, there are concerns that the secure driver's licences — and ID cards in those jurisdictions — and the personal information attached to those driver's licences, can be accessed by electronic means, similar to what happens with bank card fraud or credit card fraud. I'm not totally sure whether or not those safeguards are in place here in the Yukon and what information will be contained on the new driver's licence.

I think it is a positive step forward and I think it will alleviate a lot of the concerns that Yukoners have had about the current driver's licence. As long as the protection of personal information is looked after, I would be happy to support this. Thank you.

Hon. Mr. Kenyon: As the minister responsible for the Liquor Corporation, I am very pleased today to share my support for the initiative to provide a modern driver's licence and general identification card to Yukon residents.

Perhaps I should make comments to answer some of the questions that have been brought up by previous speakers.

There is a very distinct difference between secure drivers' licences and so-called enhanced drivers' licences. One of the reasons — the primary reason, actually — for the delay in how long this has taken has been the decision of whether or not to go for a secure driver's licence or an enhanced driver's licence — which one do we choose?

The enhanced driver's licence is, effectively, passport-compatible and, therefore, how that would be accepted by the Department of Homeland Security and the United States government had to be clarified, and that's not an easy task by any means. To give an example, in one of our meetings with the State Department, we went in, and the very first thing out of the U.S. State Department's representative's mouth was, "What can I tell you?" That sort of set the tone for trying to get information, needless to say.

In order to go to an enhanced driver's licence, it would require extremely secure facilities here, which we don't at this point have; extremely secure equipment, which is expensive to procure; and an extremely secure staff, which would involve training and everything else. The additional cost would be substantial, so the Minister of Highways and Public Works made, I think, the right decision to go to a secure driver's licence.

The concerns brought up by the Member for Mount Lorne — about the enhanced driver's licence, a number of people have expressed concerns about security and personal information. In fact, the ones that are used in the four states and in British Columbia, for instance — and that is way beyond a pilot. It is actually being utilized now by the State of Washington and, I believe, New York and a couple of others. It is a nine-digit number, similar to the number that would be encoded into a passport. That would then go back to a database within, particularly, Department of Homeland Security in the United States government. So there is no personal information stored on that card. It is simply a number that would allow them to go back into the computer systems.

It has been a long time coming, needless to say, and I've had — I'm not sure whether it is the good fortune or the bad fortune — to have worked with PNWER, the Pacific Northwest Economic Region, which was a driving influence in trying to get this thing going. For reasons other than the rather simplistic drivers' licences that we have in Yukon, the idea was to have it in place before the Olympics. We managed to do that. A pilot program was originally going to be done between the State of Washington and the Province of British Columbia. Before that really got off the ground — I think 50,000 were issued and it was generally accepted. It is a good solution.

Our situation, by going to a secure rather than enhanced driver's licence, will additionally address several things.

First of all, regarding the drivers' licences — which, quite frankly, a kid with a computer could have done a better job in some cases — the equipment necessary to produce those drivers' licences is now, for the most part, unavailable and even eBay is getting pretty thin in terms of getting the equipment, so it's necessary to make a change.

The other thing, from the Liquor Corporation perspective, is the Liquor Corporation has issued ID cards. The problem is under the existing act — and this is addressed in this consequential amendment — in that you could only issue a liquor ID card to someone who is of drinking age — 19 years or older. That was brought to light most dramatically several years ago when a young couple — 18 with a baby — who were visiting the Yukon, had their ID stolen, so they had no ID to get back on the plane to get home. They didn't have drivers' licences

with them — obviously they were stolen — so we tried to come up with a way, and the suggestion was to issue them with the Liquor Corporation ID cards. We found out that you could issue that card to prove someone could drink, but you couldn't issue it to prove someone couldn't drink. It ended up with an extremely catch-22 situation to get them back on a plane.

Providing Yukon-issued secure identification for our residents was a platform commitment that we made in relation to our strong support for the initiatives identified under the *Yukon Substance Abuse Action Plan*. I'm really pleased that the new, secure drivers' licences and general identification cards will be available soon. It remains to be seen whether we go to the fully enhanced drivers' licences, but the minister has done this in such a way that we can most easily make that transition in the future, should circumstances warrant that. Again, having not made those provisions and rushing into it quickly would have cost us potentially millions and millions of dollars.

We also have the potential situation if you take what the Minister of Education brings up: children in the educational system flying out to sporting events and cultural events and educational events who don't have a driver's licence and may not have government ID — they're going to have to get a passport, but they have no way to simply get on the plane and say, go to Saskatchewan. So it might require a passport actually to just simply fly to another province.

The issue of personal security and identification is important to all of us. Nothing is more personal than one's identification. It's an official confirmation of who you are as a resident of the Yukon and to show, really, that you should be there and should be utilizing services such as an aircraft, et cetera.

More and more frequently, Canadians are being asked to produce identification for a number of commercial purposes. It could be renting a car. I think we've all had fun, and the Member for Porter Creek South brought to light a number of issues but, again, that did not address the problem that we had to do it in such a way that it would be an easy transition to an enhanced driver's licence, or whatever, and could potentially have wasted millions of dollars. In renting a car, using a credit card, or applying for a bank loan — confirming legal age to buy liquor, is part of it. I know of one fellow, who, at 52, couldn't buy a beer in the State of Alaska with his driver's licence — even to be in an age-restricted licensed premise.

So for the first time a general identification card will be available to Yukoners who may not hold a driver's licence, who are under 19. The reason for this, for people to really think about, is someone who, because of physical disability, injury, age or for whatever reason, loses their driver's licence — to many people, to most people, that is a huge blow. It's just removing a huge part of that. To have a general identification card that is not a driver's licence, but somewhat looks like it, but clearly is not and can't be misinterpreted as such, it is a way of making people feel like they still have value in society. They're available, as I say, to young people who have been travelling elsewhere in Canada to participate in sporting or scholastic events.

So the new general identification cards will have a number of sophisticated security features that will make it extremely

difficult to produce counterfeit versions. In licensed premises, staff will have a greater confidence in the validity of the identification presented to them as proof of age. This will help licensees to keep underage youth out of bars and to prevent them from buying liquor. I am very pleased that the security of these cards will be paramount and certainly, dealing with licensed premises and purchase of alcohol, which is my perspective — Mr. Speaker, I was actually rather flattered and felt really good, being carded when I was in the Seattle airport and having a glass of wine. I thought that was a real compliment until I realized that in the State of Washington everyone, regardless of age — you could be 150 and you would have to be carded. So there is an issue in there but at least there are secure identification cards.

Those who live in the rural communities will still be able to apply and have their photo taken for drivers' licences or general identification cards at the offices of territorial agents and territorial representatives, so there is a way for the communities to stay involved in this. Debating the bill today is one of the many steps along the way to getting a new secure system in place and new cards into the wallets and purses of all of us. I know all members are eager to see the new system up and running and serving Yukoners but it has to be done the right way.

Like many Yukoners, I'm looking forward to having these new cards available. Passing this bill will put us one step closer to completing the project so Yukoners can be assured that their new identification will be reliably valid and will serve their needs when they are conducting business or confirming they're of legal drinking age — or for any number of other uses for which identification is required in their daily lives, of which, of course, there are many. Thank you, Mr. Speaker.

Hon. Mr. Rouble: I wanted to rise today in support of this piece of legislation. Through the Department of Education, we have certainly become aware of the greater security-conscious nature of many of the events going on throughout Canada, and also for the ongoing requirements for identification. This has come forward in a number of different cases where students have been going on school trips to other jurisdictions in Canada. To get on the airplane, students required some form of picture identification. In many cases, there are other ways of addressing this situation; however, having a piece of government-issued photo identification is, by all means, the most simple and straightforward way of ensuring identification.

I am very pleased to say that the government has responded to this concern and is making amendments through this legislation to allow for the provision of a general identification card that will be applicable for Yukon students to obtain. This will then allow students or children to have government-issued photo identification, which is required on many airlines, or for some events.

I will caution people, though, that this is not a passport and will not take the place of a passport and, if they are to leave the country or to enter into the States, they would need that type of appropriate identification, such as a passport.

This is a good step forward for the government to take and I encourage all members to support this legislation.

Mr. McRobb: I just want to put a couple of concerns on the record. We've now seen two Yukon Party ministers, other than the minister who presented the bill, speak to this bill. I would submit that's not a very productive use of our time in this Assembly. We're not past the halfway mark and we need to attend to the record-setting \$1.07 billion budget.

There is other legislation on the Order Paper that's going to require some time to deal with, such as the *Civil Forfeiture Act*. We presume everyone on the side opposite is in favour of this bill, otherwise the government wouldn't have presented it. These comments can merely and simply and effectively be conveyed through how they vote on the second reading. We're ready for the vote now.

Hon. Ms. Taylor: Mr. Speaker, I just wanted to put on the public record that — just to remind the Member for Kluane that we as Members of the Legislative Assembly are indeed able to respond to all matters of importance as put forward by the government and members of the opposition. So these amendments to the *Motor Vehicles Act* are in fact a very important matter. It has been an issue that has been raised both by the government side and members of the opposition. In fact, the Liberal caucus has been raising it for a number of months.

So, Mr. Speaker, I did want to put on the public record that if in fact members of the opposition wanted to make better use of their time, that is, of course, incumbent upon each and every member to do just that. But in terms of putting forward and responding to matters of pertinent importance, that is in fact an obligation of all of us.

In terms of this particular amendment to the *Motor Vehicles Act*, I would also like to lend my support, as Minister of Tourism and Culture. There has been great debate, not only in this country, in the Yukon, but also on the international front when it comes to secure identification. As was very well put and explained by the Minister of Economic Development, there is a specific difference between secure and enhanced licences. We have been able to see and reflect upon differences put forward by other jurisdictions — British Columbia and Washington State being two of them. They started out with a pilot project, which I believe encompassed about 500 different secure — or, I should say, enhanced licences being delivered.

I believe that has just been rolled out to a more definitive program no longer on the pilot basis, in terms of Washington State, that is. So it is really important to be able to draw upon experiences, such as Ontario's. I know members opposite take issue, as was put forward by the Member for Vuntut Gwitchin, about drawing upon experiences of other jurisdictions. But we on this side of the House think it's very responsible governance, in terms of looking to other jurisdictions to see what is working and what could perhaps be tweaked. For a whole variety of reasons, a decision was made to go with a secure driver's licence and a general identification card, both of which will be well-received by citizens of the Yukon — those who are minors and those who have reached the age.

We very much applaud and commend this bill going forward. It is very important for a whole host of reasons, as we mentioned — economic and, of course, for education purposes, and just conducting life on a day-to-day basis. Mr. Speaker, again, I just wanted to put on the record that it is very important to speak to pieces of legislation such as this and again, just urge all members of the Legislature to make better use of their time, if in fact they feel they are being pressured to not take part in matters of importance.

I would put on the public record that we have actually reached — as I believe has been forward — the solstice of the legislative sitting already, and that days are numbered, in terms of how much business we do have to conduct.

I would very much urge all members opposite to make good use of their time, as we will on this side of the Legislature as well. We look forward to debate on, again, another record-breaking budget — over \$1 billion in expenditures throughout each of the departments. We haven't even reached the first department. Hopefully, we will be reaching that later on today, but again, we commend this legislation going forward, and I thank you very much for the opportunity to speak to it.

Speaker: The minister's speech will close debate. Does any other member wish to be heard?

Hon. Mr. Lang: I would like to thank the members opposite and the other members in the House today for the comments on Bill No. 85, *Act to Amend the Motor Vehicles Act, 2010*. I look forward to more debate as we move through the sitting here in the coming days, and I commend this to the floor here in the House. 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. Ms. Taylor: Agree.

Hon. Mr. Hart: Agree.

Hon. Mr. Kenyon: Agree.

Hon. Mr. Rouble: Agree.

Hon. Mr. Lang: Agree.

Hon. Ms. Horne: Agree.

Hon. Mr. Edzerza: Agree.

Mr. Nordick: Agree.

Mr. Mitchell: Agree.

Mr. McRobb: Agree.

Mr. Elias: Agree.

Mr. Inverarity: Agree.

Mr. Cardiff: Agree.

Mr. Cathers: Agree.

Clerk: Mr. Speaker, the results are 15 yea, nil nay.

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

Motion for second reading of Bill No. 85 agreed to

Bill No. 84: Labour Mobility Amendments Act — Second Reading

Clerk: Second reading, Bill No. 84, standing in the name of the Hon. Mr. Lang.

Hon. Mr. Lang: I move that Bill No. 84, entitled *Labour Mobility Amendments Act*, be now read a second time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 84, entitled *Labour Mobility Amendments Act*, be now read a second time.

Hon. Mr. Lang: I am pleased to rise and speak today to Bill No. 84, the *Labour Mobility Amendments Act*. With this act we will provide for labour mobility between Yukon and the 11 other Canadian jurisdictions that have signed the *Agreement on Internal Trade*, referred to as "AIT" for short. It is part of a commitment to ensure that Canadians can live and work where they choose. It will help address the local labour shortages by eliminating employment barriers for Canadians to live and work in Yukon and it will also eliminate barriers to Yukoners seeking work in other jurisdictions. These labour mobility amendments support Yukon's commitment to enable workers certified for an occupation anywhere in Canada to access employment opportunities in Yukon. With this bill, Yukon joins other Canadian jurisdictions in making it easier for Canadians to move around the country for work. The AIT is based on the federal, provincial and territorial governments' intention to promote an open, efficient and stable domestic market for long-term job creation, economic growth and stability.

By eliminating barriers to the free movement of people, goods, services and investment within Canada, we are promoting equal economic opportunities for Canadians and competitive business practices.

The AIT focuses on 11 specific aspects, with chapter 7 addressing labour mobility. Labour mobility is a key element of labour market efficiency. It contributes to sustaining economic growth, innovation, productivity and Canada's competitiveness in an increasingly knowledge-based global economy. The purpose of chapter 7 is to ensure that any worker fully certified, licensed, registered or officially recognized in one province or territory will also be recognized for the same certification by the other participating provinces or territories.

The labour mobility provisions of the AIT apply only to regulated occupations, those for which provincial certifications are available or required. About 15 percent of workers in Canada work in occupations where a licence or certificate is available or required to work.

By complying with the AIT, Yukon demonstrates support for its obligations to the national agreement and provides new opportunities to attract a wider pool of skilled workers to the Yukon to address labour force shortages. Yukoners in turn will have the same opportunities to work in other parts of Canada if they choose.

As a signatory, Yukon is required to make any legislative changes governing licensing of regulated occupations by June

2010. This bill will help us to meet these implementation dates. Yukon has proactively undertaken several initiatives to encourage labour mobility and to promote Yukon as a great place to live and work. As an employer, the Yukon government has removed residency requirements for persons who wish to apply for positions in the Yukon government's public service. We have worked to remove barriers to employment so that professionals — particularly health professionals — will want to come here to work. This provides Yukoners with the best possible access to health care in an era when many jurisdictions are experiencing a shortage of doctors and nurses.

The Yukon government's responsibility to implement the labour mobility chapter is shared by several departments. Since the AIT amendments were signed last year, a review of all Yukon government legislation has taken place. The *Labour Mobility Amendments Act* updates 15 professional licensing acts to make them compliant with AIT's labour mobility chapter. It also amends the *Interpretation Act* to include a definition of the *Agreement on Internal Trade*. These professional groups are the engineers and technicians who operate boilers and pressure vessels, certified management accountants, chiropractors, dental professionals and denturists, lawyers, licensed practical nurses, clerics performing weddings under the *Marriage Act*, medical practitioners, notaries, optometrists, pharmacists, private investigators, security guards and real estate sales persons.

Doing research for the legislation before us, government officials contacted all impacted professional group concerning the changes needed to make Yukon compliant with chapter 7 of the AIT. Part of this consultation involved supplying each professional group, including those that are self-regulating, with the actual language of the proposed change to the act regulating their profession. Care was taken to ensure that these professional groups understood the changes and were comfortable that the changes would not impact their ability for continued licensing. Our open and transparent approach has resulted in all the impacted professions indicating support for the changes in this bill before us today. The amendment to the 15 impacted professional licensing acts can be summarized in six main themes: (1) removing residency requirements; (2) creating more specific language to recognize certificates issued by other jurisdictions; (3) creating the ability to add conditions on a Yukon licence or certificate to match those in their originating jurisdictions or, if the originating jurisdiction has a lesser scope of practice than Yukon, to impose conditions on any individual deemed necessary for public safety reasons; (4) requiring additional training or education if an individual has not practised in two years — again for the public safety reasons; (5) moving specific registration requirements from acts to regulations for later development — this will ensure Yukon's registration requirements are consistent with national harmonization standards and will also provide greater flexibility for any future changes to those requirements; and (6) enabling Yukon to quickly implement registration-, education- or training-harmonizing standards.

Employers of these professionals will also be positively impacted by this legislation. Addressing labour mobility will help to promote Yukon as an employment destination.

In summary, the *Labour Mobility Amendments Act* is part of Yukon's response to an intergovernmental measure designed to ensure Canadians can live and work where they choose. Through similar responses by other jurisdictions, this national initiative will also eliminate barriers to Yukoners seeking work elsewhere in Canada.

I am very pleased to be sponsoring this legislation today. It demonstrates the Yukon is open for business, that it is a place where professionals and their families can come and have their qualifications recognized, and this will have positive impacts for Yukon and Yukoners.

I look forward to discussing this bill further in Committee and to answer any questions members opposite may have. Thank you, Mr. Speaker.

Mr. Inverarity: It gives me pleasure today to speak to Bill No. 84, *Labour Mobility Amendments Act*. I'll be fairly brief this afternoon as we want to move forward with general debate on the budget. I know it's important to everyone.

My biggest single concern — first of all, let me state that I think we'll be supporting this bill this afternoon. I think it has been awhile coming. It certainly enables individuals to be able to use their skills, not only here in the Yukon, but anywhere across Canada, and I think that's an important thing to have. I think we've always been supportive of the TILMA project in general. If anything, the only complaint that I might have is that it probably doesn't go far enough in terms of the different trades that are included in the content here. What concerns me a little bit are some of the journeyman professions that are out there — welders, cooks, a number of other types of journeyman professionals who have skilled trades that are required.

I know, for example, that my own daughter, who is a journeyman baker, had a situation where she got her red seal in Alberta and it wasn't accepted in British Columbia. She had to go back and take virtually her whole training over again. Certainly, the timing in terms of the actual on-the-job training had to be done all again. It is not included here, but it is included, I believe, in British Columbia now, so the red seal program, from a journeyman perspective, is actually included in British Columbia. It would be nice to see those included in this act that we're talking about today.

One of the other things that I have a concern about is that, in the explanatory notes on the back of the cover page, there is a reference. I will read it. It took me a few minutes to try to understand it, if in fact I do. It is bullet 3, and if I may quote: "Allow Yukon regulators to impose the same terms on an incoming worker's licence as are applied in the worker's former home jurisdiction." Now if I am a welder, for example, or if I am a — well, let's pick one of these — a certified management accountant, and I got my CMA in Ontario, and I come to the Yukon, this act would allow me to bring those qualifications here and, if I read this, our regulators can then say, "Okay, all the rules and regulations that you had to go through to get your CMA in Ontario are now valid for you to do here." While that may be fine and dandy, it just strikes me as an odd statement to make that the regulations, or the hoops I had to go through in eastern Canada or Vancouver, British Columbia, or wherever,

are now imposed on me as an individual coming here to work in the Yukon.

What's missing from this statement is what happens to Yukoners who are CMAs here? Are our regulations better or worse than those of the individual who is coming in from another jurisdiction? Really, all it's saying is, if you're licensed in another jurisdiction, you can come here and work. It doesn't matter about anything else; we'll bend our rules and regulations to meet you.

While I agree with the fundamental principles of being able to transport my certifications from one jurisdiction to another, I find this statement to be cumbersome, at best, and I think it needs to be clarified and perhaps that will come out when we go into Committee of the Whole.

Hon. Mr. Kenyon: As a member of the Committee on Internal Trade for Canada and the past chair, I rise today to speak to Bill No. 84. We are pleased to see these amendments coming forward to bring Yukon into compliance with the *Agreement on Internal Trade*. In partnership with the governments of Canada, the provinces and territories, Yukon is committed to working on the *Agreement on Internal Trade* to keep Yukon's economy strong and to ensure that qualified workers have fair access to employment opportunities right across Canada.

Through addressing obstacles to internal trade and mobility, we can certainly build a stronger Canadian economy. As part of its ongoing work to keep Yukon's economy prosperous, diversified, stable and strong, the Government of Yukon has identified means of improving labour mobility and finding flexibility to respond to needs of employers.

The objective of the *Agreement on Internal Trade* is for provinces and territories to reduce and eliminate, to the extent possible, barriers to the free movement of persons, goods, services and investments within Canada and to establish an open, efficient and stable domestic market.

Now the goal of the labour mobility chapter is to allow a qualified worker in the jurisdiction of any one of the parties to the *Agreement on Internal Trade* fair access to employment opportunities in the jurisdictions of any other of the parties.

A new chapter 7 on labour mobility has been endorsed by all First Ministers and came into force in Canada on April 1, 2009. This is making it easier for Yukon workers to seek employment and have their credentials recognized in other provinces and territories. We're certainly supporting Bill No. 84, because it brings Yukon legislation in line with the *Agreement on Internal Trade* and meets our commitments there.

Improved labour mobility will provide a wider pool of skilled workers to Yukon employers, which helps address labour force shortages and is part of the government's work to promote a prosperous and diversified economy.

Mr. Cardiff: I would like to say a few words about the *Labour Mobility Amendments Act*. It's linked to the *Agreement on Internal Trade*, and the *Agreement on Internal Trade* is more about policy-making through trade deals. Oftentimes trade deals are done in back rooms. The *Agreement on Internal*

Trade has provisions where different jurisdictions can challenge the actions. It's much like the free trade agreement, and there are penalties that are attached for non-compliance, and there's a tribunal that rules on those violations.

So this is basically all part of a free trade agenda that has recently, to a large degree, been discredited by the recent global downturn. It's an agenda that's directed, in large part, by transnational corporations, and it's basically seeking to eliminate barriers to trade, and not so much help out the average working person.

We on this side believe in fair trade. Trade deals like this basically erode the public's ability to shape its own economy, to put rules in place that encourage local production and local consumption. Given climate change, we are facing a future where we must question globalization and turn to more local solutions. Trade deals that take away our rights fly in the face of the kind of social and economic change necessary to address our ecological crisis.

A recent paper by the Canadian Centre for Policy Alternatives shows that increasing trade liberalization is anti-environment, and environmental protection and increasing trade do not necessarily go hand in hand. In fact, trade liberalization is actually counter to environmental protection, because the standards —

I see the look of consternation on some of the members' faces, but look at some of the challenges under NAFTA that have taken place and actually harmed the environment in Canada and cost Canadians money at the same time. You just have to look at them.

So I understand that the goal of this piece of legislation basically is to comply with this trade deal among Canadian jurisdictions. The goal is to somehow allow someone with certification obtained in another province or territory to be recognized here in the Yukon and basically vice versa.

I don't know — in the business that I was in before — the trade that I was in — I was a journeyperson sheet metal worker. I worked alongside journeyperson electricians, carpenters, welders, plumbers, pipefitters, and drywallers. Most of those trades had what's known as an interprovincial standards red seal. That was a certification that you could take anywhere in Canada. In fact, it was recognized globally. It was recognized as one of the best qualifications you could have.

What I have concerns about is that, in some instances — and we've had this conversation in this Legislature before, along these same lines — the concern is that we don't go to a lower standard. When you look at the list of acts and professionals being regulated under this bill — as the Member for Porter Creek South said, certified management accountants — we're looking at the *Boiler and Pressure Vessels Act* — that's something that I have a little bit of familiarity with because, if you work in construction in the heating business, we're talking about boilers and pressure vessels, we're talking about public health and safety. You need to ensure that the highest standard is maintained by the people who are doing that work — whether they're working on those boilers or pressure vessels or whether they're inspecting them.

We look at some of the health professions — chiropractors, dentists, denture technicians, health professions. “Health professions” covers a lot of different health professionals — optometrists, the *Medical Profession Act*, *Licensed Practical Nurses Act*. There’s a reference in the explanatory notes: “The Act applies on proclamation, except that its use of the term ‘nurse practitioner’ is delayed until the relevant amendment to the *Act to Amend the Registered Nurses Profession Act* comes into force.”

Now, a lot of these — if you look at chiropractors, dentists — a lot of the health professions, the nurses — they’re the ones — many professions — and they set their own rules and their own standards for certification. The way that I read this piece of legislation, the way that I understand this piece of legislation, is that it takes the power and the oversight away from those professions, those professional people who set their own rules and their own standards for the occupations they practise — the codes of conduct, the standards of practice, the standards of care that people rely on.

This may not be as contentious as some of the other things that may end up being covered under the *Agreement on Internal Trade*, but there are other chapters to the *Agreement on Internal Trade* that are yet to be brought before this Legislature to have pieces of legislation that are created here in the Yukon changed or implemented.

Some of those that are potentially coming in the future are ones about environmental protection — chapters on environmental protection, chapters on energy — so more of a national standard. We need to know that we are maintaining the very highest standard, just as we are for these professionals who are providing services to Yukoners.

I would be interested to know — consultation on legislation has become a concern for members on this side of the Legislature. On one hand, the government is willing to go to other jurisdictions and take a piece of legislation and adapt it for use in the Yukon, along the lines of the *Civil Forfeiture Act*. This piece of legislation is basically mirroring what has been done in other jurisdictions. The government doesn’t see it that way. When it comes to free-entry mining, they choose to ignore what’s going on in other jurisdictions.

I have a lot of questions regarding this piece of legislation, and I’m going to put them on the record. I look forward to the minister providing responses to all these questions in a timely time today.

I’d like to know which of the professions that are covered under this act were consulted, whether or not they had concerns about labour mobility issues, whether or not any professional designations are planned to be exempted from labour mobility.

As I said earlier, there’s a concern that trade deals go to the lowest common denominator and that the lowest standards will prevail. I want the minister to respond to that concern and tell me whether or not it is going to erode the standards of care, the standards of service that are provided by these professionals.

I’d like to know what other professionals and other designated trades are going to be covered under this act in the future. We’d like to know what the next steps are. We’d like to know what the next major policy areas are that are slated for change

in the *Agreement on Internal Trade*. As I said earlier, it’s our understanding that there are chapters related to environmental protection and energy, and there may be others with regard to investment or even contracting. I’d like to know how this is going to impact — specifically because it’s referenced here in the explanatory notes — the *Registered Nurses Profession Act*, and how is that going to impact on the Registered Nurses Association here as a self-regulating authority. Are they still going to have the ability to set the standards and regulate themselves?

I’d like to ask the minister what effect this is going to have on that inter-provincial red seal program and designation for journeyman tradespeople. I believe that’s an important issue.

The minister referenced in his opening remarks that there’s much work — and we’ve had this conversation before a little bit in here as well — departments of the government are doing in order to ensure that we’re compliant with the *Agreement on Internal Trade*, whether we like it or not. How much work is happening at a departmental level and in what departments is that happening?

The other thing I’d like to know about that is, is that work being tracked by one individual department? What’s the coordinated approach?

We know there’s one department that’s basically responsible for labour market programs, but how does that relate to this piece of legislation?

The concern about the dispute resolution mechanism of the *Agreement on Internal Trade* — we’d like to know what impact that will have on this *Labour Mobility Amendments Act*. Is there a possibility of disputes or an appeal process? What is the citizen engagement in an appeal process if they feel that they are unjustly treated or unfairly regulated through this piece of legislation? Is there an appeal process if you feel you’ve been unjustly treated or unfairly regulated?

So there are quite a few questions regarding the act and the *Agreement on Internal Trade*. We would also like to know whether or not there is a schedule to the amendments to regulations that the AIT may have to make from time to time. I guess we’d like to know what else is — what’s next when it comes to labour mobility? Are there more negotiations, and what legislative oversight is there for those negotiations? It’s my understanding that there is the labour mobility — that there is a working group or coordinating group, and that they deal with some of the matters or a lot of the matters with regard to setting those standards.

What I’d like to know is this: what professional designations exist that have the expertise when it comes to specifying or setting regulations or deciding which regulations from which jurisdiction should apply to any of the professions that are designated in this act?

I see my time is up, and I look forward to hearing from the minister with regard to the questions I’ve asked.

Hon. Mr. Hart: I’m going to be brief this afternoon. I’m going to try to concentrate on just a few items.

The Yukon, in partnership with the other provinces and territories, has amended chapter 7 of the *Agreement on Internal Trade* — labour mobility — basically to reduce and eliminate,

to the extent possible, barriers to the movement of persons and goods, services and investments within Canada, and to establish an open, efficient and stable domestic market.

The goal of the labour mobility chapter is to allow a qualified worker in a jurisdiction of any one of the parties to the *Agreement on Internal Trade* to access employment opportunities in jurisdictions of any of the other parties, and vice versa for the Yukon.

We have signed on to this agreement. We've been negotiating this agreement for many years now — many years. We now have the majority of the jurisdictions all signed on to the process. On the medical profession side, there have been national negotiations going on for some time with regard to this mobility standard for medical professions throughout Canada. That goes from the CMA to the Nurses Association, right across Canada.

The jurisdiction that the resident is currently in will take priority. The only issue is that your ability to provide the professional services of your profession not be put into question.

If you are a qualified doctor in Nova Scotia, you can come to the Yukon and practice, providing you've met the Canadian standard for being a doctor. However, the services covered under the act here in the Yukon will take place as far as the practice goes. I am going to let the minister discuss a few other things with regard to what is happening in response to the member opposite's questions. I am going to deal mainly with the health situation.

We are working with Community Services to increase our understanding of the importance of managing the regulation of health professionals to be able to effectively and efficiently manage the health care system here in the Yukon. Currently the member opposite indicated many acts that are requiring amendments. Health and Social Services, as I think the member opposite indicated, is looking at the *Marriage Act*, the *Chiropractors Act*, the *Dental Profession Act*, the *Optometrists Act*, the *Pharmacists Act*, *Licensed Practical Nurses Act* and so on.

We are also looking at proposed amendments that fall into four categories: changes to registration of qualifications; enabling a registrar to impose conditions, limitations and restrictions on a licence when necessary to protect the public; removing residency requirements and changes to the names of the act and the licence or profession. We are all working in concert with Community Services, along with the Minister of Economic Development, to ensure that we conform to the rules and regulations under the *Agreement on Internal Trade*, and to ensure that we will not be in contravention of the agreement, thus facing any fines. We look forward to working with Community Services on issues related to Health and Social Services to ensure that we are providing the general public of the Yukon with good, quality service.

Hon. Mr. Rouble: Mr. Speaker, the Department of Education is the co-lead with Community Services on this file. The Department of Education in our jurisdiction also has responsibility, in addition to K to 12, for post-secondary education, but we're also responsible for labour market initiatives.

We also do an extensive amount of work with trades, education and red seal certification programs.

I thank you for the opportunity to speak today in support of this piece of legislation and also to help to clarify some of the misunderstandings that are apparent with regard to this legislation. This builds upon Canadians' commitment and dedication to ensure that Canadian opportunities are there for Canadians and that, while our provincial and territorial borders are political borders, they should not be boundaries that constrain and restrict people.

The purpose of this piece of legislation is to continue to keep Yukon's economy strong and to ensure that qualified workers across Canada have fair access to employment opportunities across Canada; to ensure that those opportunities that many red seal certified journey-level people have recognized in the past that having national recognition of their skill and their qualification is now available for a wider variety of professions and occupations.

This piece of legislation has been created because of a strong working relationship with the different jurisdictions across Canada in order to ensure that Canadians have the opportunity to take advantage of the different opportunities that are before them and that we don't create needless bureaucratic impediments to having Canadians recognize different opportunities throughout the land. This ensures that when you become an accredited professional in Yukon that you then have those doors open to you and that those accreditations are recognized in other jurisdictions. This legislation does not lower the bar on professional accreditation.

I have to address a comment that the Member for Porter Creek South made. I'll have to refer to the Blues to ensure that I had the correct quote, but I believe that he made a statement something along the lines of, "We will bend our rules to meet you." No, No, Mr. Speaker, that is not the intent of this legislation. That is not what this legislation does, and I would encourage the Member for Porter Creek South to take a deeper look at the legislation, maybe ask a few more questions about it, and maybe go over some more of the background material that has been provided. But no, this does not create a situation where Yukon will bend our rules to meet you.

This is a situation where we, the different jurisdictions across Canada, will work together to ensure that the certifications, qualifications, accreditation and recognition of the different people's skills for backgrounds for the list of areas in the act are recognized across Canada — that if you are, for example, a boiler and pressure vehicles operator in one part of Canada, then you can become an operator in another part of Canada.

I look forward to the oncoming debate in the next couple of days where we will be able to clear up some of these issues. Also, Mr. Speaker, I was sitting here rather incredulously listening to the Member for Mount Lorne, who said that labour mobility is the same as trade mobility and trade mobility is anti-environment. That is quite a statement to make. There are quite a few leaps of recognition that quite a few — well, I would suggest — inappropriate conclusions to say that trade mobility is the same as labour mobility, therefore, it is anti-

environment. I would challenge the member opposite to come forward with more specific cases or examples that he can cite rather than to use the generic, “We all know of cases.”

If there are these cases, let’s enter them into discussion; let’s bring them into the debate so we can take a look at these cases and take a look at what actually transpired in these cases. I’ve heard a number of times in numerous different debates in this Assembly where people make an illogical assertion that there are many examples of this where it has been bad in the past; therefore it will be bad in the future.

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: I’m sorry, the Member for Mount Lorne has said something. Could he repeat it again so I can hear?

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: No, I didn’t hear the Member for Mount Lorne when he was making his comments off-mic — would he please repeat them again so I can respond.

Mr. Speaker, if we’re going to enter into some debate on this, and if the members do have cases that are appropriate to the situation, then let’s hear them; let’s have a full and thorough debate about these cases and see if Yukon’s legislation that is before us is actually applicable to that case.

I would suggest that Justice officials in the Government of Yukon, when they work at drafting these pieces of legislation, have looked at many other jurisdictions and looked at the cases that have been brought before the courts and the challenges that have occurred and that, when we create legislation on this and on other matters, we take that into consideration and we look at the past examples and learn from that and amend legislation in order to ensure that the previous issues are appropriately addressed.

I will conclude my comments and, once again offer my support for this piece of legislation. It is a piece of legislation that is being implemented across all jurisdictions in Canada to ensure that Canada continues to be a strong and healthy nation and that opportunities for Canadians are being put into place to ensure that we don’t have needless barriers of prohibition, discouraging or disallowing Canadians or Yukoners from working at other parts of the country.

It allows for the protection of regional differences and allows for appropriate conditions to be put in place where there are certainly justifiable conditions. It allows Yukon to be responsive to the needs in our community and to ensure that additional or specific requirements are also met by some of our operators here. It’s in the legislation; it’s in how we work with these occupations.

By passing this legislation, it also opens the door to Yukoners, should they desire to travel to other places in Canada, to ensure that the accreditation that they worked so hard to achieve here in Yukon is recognized abroad. We heard earlier about the debate of having our driver’s licences recognized in Outside jurisdictions and, in essence, that’s what we’re doing here for a broader array of occupations and vocations. It will be good for Yukon, good for Yukoners to increase the number of opportunities they have; it will increase the opportunities for

Yukoners to hire qualified people with the right skills and background necessary to meet the needs in our society.

I’m sure as we go through the debate on this over the next couple of days that the questions or the concerns brought forward by the members opposite will be addressed in a meaningful manner and we’ll be able to satisfy the thoughts or concerns of the people in the opposition.

I thank members for their time and their support for this piece of legislation.

Hon. Ms. Horne: Günilschish, Mr. Speaker. I am pleased to rise and speak today to support Bill No. 84, *Labour Mobility Amendments Act*. This will address local labour shortages by eradicating barriers for Canadians to live and work in Yukon. It will also remove barriers to Yukoners seeking work in other jurisdictions.

These labour mobility amendments support Yukon’s commitment to enable workers certified for an occupation anywhere in Canada to access employment opportunities in Yukon. With this bill, Yukon joins other Canadian jurisdictions to make it easier to move around the country for work — what a bonus that will be. By eliminating barriers to the free movement of people, goods, services and investments within Canada, we are promoting equal economic opportunity for Canadians and competitive business practices.

Labour mobility is a key element of labour market efficiency. It contributes to sustaining economic growth, innovation, productivity and Canada’s competitiveness in an increasingly knowledge-based global economy.

The labour mobility provisions of the *Agreement on Internal Trade* apply to regulated occupations, those for which provincial certifications are available or required.

By complying, Yukon demonstrates support for its obligations to the national agreement and provides new opportunities to attract a wider pool of skilled workers to Yukon to address labour shortage in the workforce. Yukoners in turn will have the same opportunities to work in other parts of Canada if they choose. By removing barriers to employment, professionals — particularly health professionals — will want to come to Yukon. It provides Yukoners with the best possible access to health care in an era where we have shortages of doctors and nurses in other jurisdictions — kudos to the Minister of Community Services. These professional groups involved are engineers and technicians who operate boilers and pressure vessels, certified management accountants, chiropractors, dental professionals and denturists, lawyers, licensed practical nurses, clerics performing weddings under the *Marriage Act*, medical practitioners, notaries, optometrists, pharmacists, private investigators and security guards and real estate people. The amendments can be summarized into six main areas: (1) removing residency requirements; (2) creating more specific language to recognize certificates issued from other jurisdictions; (3) creating the ability to add conditions on a Yukon licence or certificate to match those in their originating jurisdiction; (4) requiring additional training or education if an individual has not practised in two years — again, for public safety reasons; (5) moving specific registration requirements from acts to regu-

lations for later development; (6) enabling Yukon to quickly implement registration, education or training-harmonization standards.

Addressing labour mobility will help to promote Yukon as an employment destination. This initiative will also eliminate barriers to Yukoners seeking to work elsewhere in Canada.

Mr. Speaker, I am very pleased to support this legislation today. It confirms Yukon is open for business and that it is a place where professionals and their families can come for employment and have their qualifications recognized. This will only have positive impacts for Yukon and our Yukoners. Günilshish, Mr. Speaker.

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

Hon. Mr. Lang: I would like to thank all members in the House for contributing to the debate this afternoon, and I commend this bill to the floor here this afternoon. Thank you, Mr. Speaker.

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. Ms. Taylor: Agree.

Hon. Mr. Hart: Agree.

Hon. Mr. Kenyon: Agree.

Hon. Mr. Rouble: Agree.

Hon. Mr. Lang: Agree.

Hon. Ms. Horne: Agree.

Hon. Mr. Edzerza: Agree.

Mr. Nordick: Agree.

Mr. Mitchell: Agree.

Mr. McRobb: Agree.

Mr. Elias: Agree.

Mr. Inverarity: 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 for second reading of Bill No. 84 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Nordick): Committee of the Whole will now come to order. The matter before the Committee is *First Appropriation Act, 2010-11*. We will now continue with general debate. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 20 — *First Appropriation Act, 2010-11* — continued

Chair: The matter before the Committee is Bill No. 20, *First Appropriation Act, 2010-11*. We will now continue with general debate.

Hon. Mr. Fentie: Mr. Chair, I think we will turn this over to the member of the Third Party, who didn't have time the other day to engage in the debate. With that, I'll await the member's questions and comments.

Mr. Cardiff: I don't really have a lot of questions for the Premier today. We had a fairly extensive debate during the supplementary budget general debate. We covered off a number of items. I read a bit of the debate that took place last Thursday and would just like the Finance minister to confirm that the numbers on page S-4 are indeed correct. It shows that we're forecasting a \$23-million shortfall for this coming year, as of these estimates.

Hon. Mr. Fentie: Actually, we're in the 2010-11 mains. The number the member references is merely one number from a previous fiscal year which, when you take that number and all other matters that must be accounted for and factored in, you then create the estimates for the fiscal year that we're in. The actual position of the government, if you calculate and take all factors, shows — and this is one component of what you must calculate — shows at year-end, noted by, in brackets, "a", \$2,907,000 surplus. Then you also notice that, going forward, as you continue on with the budget — and this is to ensure that we're inclusive on all matters that must be accounted for, we show a net financial resource position at end of year of over \$40 million.

I recall having the discussion with the member regarding this net financial resource position, and did provide the member the fact that, if you take comparisons of the way we budget today under full accrual accounting and how governments budgeted in the past, the net financial resource position is very similar to what was in the past budgeting processes, the surplus/deficit in the budget at that time. With full accrual accounting, obviously we've added a lot more information and do much more of the counting of the actual fiscal position of Yukon in the main budgets.

I confirm that, in closing out last year, we still have a lot of work to do before the public accounts are completed and we can talk about the actual year-end factors. The government will not speculate or be premature in drawing conclusions on that

process, but all estimates show going forward for 2010-11 that we are situated with a \$40-million plus net financial resource position at end of year, and one of the factors that creates that number includes a surplus/deficit at year-end.

Mr. Cardiff: I was referring to the previous year, actually — that we just ended. So if you go from that to the \$2.9 million that the minister was just talking about — about the surplus that is forecast or estimated — we are forecasting a \$23-million shortfall with \$70 million in net financial resources at the end of the year here. When you look at the surplus of \$2.9 million and net financial resources of \$40 million at the end of the year, what I'd like to know is — I understand the fact that we're spending money from the net financial resources because it is money that was received for projects. I believe this is the way the Finance minister explained it to me the other day. We have received money for projects, and it is on the books already. There has been a change to that, so that it's booked in the year — if I have this right — you book it in the year you spend it. Is that correct?

Hon. Mr. Fentie: There are actually some variances in how things are accounted for, but we have to recognize that — when the Auditor General and those who are involved in grading and providing public sector accounting guidelines — sometimes there are variances in how you account for things.

Let me try to explain it this way: in many cases, trusts that are set up between the federal government and the territorial government are booked in the year that the trust is created, and the agreement reached between the federal government and the territorial government. That is how we established, for example, the northern housing trust and the northern strategy. These are examples of funds that carry with them substantial dollars that were accounted for — booked — in the year they were established.

That also applied at the time when the Building Canada fund was created, but it was after the fact — and that was probably a year or two years in; probably one fiscal year, into the second fiscal year — public sector accounting guidelines, and the Auditor General in viewing this determined that for Yukon we must change how we account for Building Canada and only book the relative amounts of what we expend in any given fiscal year. I would add, however, that that is not the case in all jurisdictions in the country. Other jurisdictions in Canada today continue to account for things like Building Canada in the year it was established and then spend the fund down during the course of its predetermined timeline. That is the best way I can explain that.

Going back to the member's questions and concerns around the budgets themselves, let me point out that the estimates from last year create a start number for the mains for 2010-11. It would not be correct to compare one number out of the estimates from last year and then try and calculate that against another number in the mains of this year.

All last year's budget does, once everything is accounted for and all the calculations required are done, is create a start number. Then we go into the process of distributing the funds for departments and expenditures and investments in other areas throughout the course of the budget, which gets us to where

we're at in estimates for the mains for 2010-11, and that shows us at a \$40.255-million net financial resource position. If the member is asking why that number has gone from \$69 million from last year to the \$40.255 million for this year, a large part of that is due to spending down funds like the northern strategy.

I would caution everyone to recognize that we yet have to do our public accounts, and there could very well be changes coming forward in the fall, when we do our year-end supplementary. We can discuss this at great length, but we are talking about something that has yet to have the actual values provided once the public accounts have been done after being duly audited by the Auditor General.

Mr. Cardiff: Now we're going to get to the crux of the question. If you look at the multi-year plan, when you look at the net financial resources that are being projected for the next few years, they are not coming down at the same rate. I realize that these are all just projected estimates, but what I am looking for is — basically there is \$29 million, and the rationale is that some of that money is money that was held in trust — this isn't like what we're doing with the other, where we're booking it in the year that we are expending it. Are there any other funds like that — like the northern strategy or the northern housing trust — that are part of those net financial resources? That's what I'm asking. It doesn't look like that to me, because it doesn't look like we're planning to spend down in that same manner in coming years.

Is that a correct assumption — that those monies that would be part of the \$29 million — that account for the change from 69 to 40 — that those funds are being spent down this year and there aren't — or when are those funds wrapping up? Maybe that's a better way of putting it.

Hon. Mr. Fentie: First off, northern strategy does end, so it won't show up in out-years. Secondly, if the member looks at the long term or the financial projections of the government that go out to 2014, the member will see that the net capital expenditure amount has dropped in the next year, 2011-12, from \$119 million to \$105 million. One of the reasons for that will be that we're not going to build an airport terminal again in the foreseeable future. So the capital expenditures that are in past years — once a project is completed, we're not going to re-build that project. Therefore, there is a relative downward pressure to capital expenditure at that time.

Secondly, we have to recognize that there are significant stimulus funds at work here in the Yukon that aren't part of this because that is something that flows from Canada, based on agreements of eligibility.

Thirdly, we also have to understand that the estimates show that we will continue to increase our net operation and maintenance expenditures. That's why the government has stated that the financial management over the years that has produced some, I believe, some \$150-million plus of surpluses has allowed us many more options. This trend began back in 2004. Forward to today, where the last actuals that we'll be dealing with show that we have accumulated over that period of time \$150-million plus more than we have — we've brought in that much more than we've spent.

So, going forward, we maintain the fact that we can continue to pay our liabilities while still maintaining a positive net financial position. That's very important because the Government of Yukon and the Yukon Territory continue to maintain a net financial resource position versus a net debt position. There are only two jurisdictions at this time that can stand up and say that, and that is the Yukon and Alberta. All other jurisdictions are booking net debt positions.

We have options, we have room, and you will see capital going down and that's relative to what we've been doing over the last number of years. You will also notice that O&M is going up, but that's relative to a number of things, and that also includes the growth factor in the Yukon. We also have to recognize that the private sector has undertaken much more. That means what we are expending that drives and stimulates our economic well-being and growth in today's Yukon is no longer predominantly driven by government. The private sector, the private sector investment, offshore investment even, are starting to — and has been now for the last couple of years — fuelling sectors of our economy, stimulating the Yukon economy and allowing government to step back to some degree from stimulating the economy through capital investment.

So, all things relative, going forward, the member will also see a trend of reduction in net financial resource position, which will then begin an upward trend in the year 2013-14. But I would also add that governments could try and spend more, should they choose, but our management approach is to maintain that forward-looking fiscal management, as we have since 2004, because of what that has accomplished to date, and what we believe strongly will continue to allow us to accomplish positive things into the future.

Mr. Cardiff: I understand the northern strategy money does end and I understand what the Finance minister was saying.

The estimate of surplus or deficit for the year — with “(A)” beside it, or if you go to the top of the other page, it is there as well — is \$2.9 million, but there are a number of expenditures that we can identify — one being work done at the Thomson Centre. We know that there are probably going to be increased costs for other commitments that will be made over the coming months leading up to the fall. So I am just wondering if the Finance minister can identify some of those. I'd also like him to identify what funds aren't shown in the revenue stream that may still be coming to the Yukon.

We are showing under “revenues” a little over, well \$1.048 billion. What I'd like to know is, are there any other funds with regard to either infrastructure monies, stimulus monies or health transfers that may be coming that are going to improve the revenue side of the ledger in this coming year as well?

Hon. Mr. Fentie: Mr. Chair, here is why fundamentally speculating and trying to presume things and pre-empt due process can get any government into trouble in managing the finances. Building Canada values aren't in until the amounts of expenditure in any given year have been determined. That will change because that will book a revenue stream that isn't shown today. Secondly, the new extension of what they call “THSSI” now, but was once known as the territorial health

access fund — that has not been finalized yet as far as the actual transfer taking place. That's now shown in the revenue stream.

It's also important that we recognize that the estimates of third party recoveries and recoveries from Canada can change depending on the circumstances. There could be a Shakkwak movement that isn't shown — or expenditure that isn't shown. Calculations in the transfers from Canada could have an effect on our revenue stream, and we have a 30-percent retention factor that, over time, will continue to be part of our fiscal well-being because, in the past, we used to send more than dollar-for-dollar back.

So if we look at what we have presented, in terms of the estimates, which are part of what we must do to budget, we must always reflect on the fact that a very important element of this going forward, that will probably create shifts in the numbers, is the public accounts coming this fall that close out the prior fiscal year that we were in.

I guess the general purpose of what the government side is presenting is clearly a demonstration of a very positive financial position for Yukon, and we can relay that and apply that to years past, as far back as 2004. We can now, as we've shown in our longer term estimates, show that we have a positive fiscal or financial position going forward.

The member also mentioned projects that aren't accounted for possibly — that are into the future. Not all of the gross capital amounts, for example — because of recoveries and other matters — are shown on the estimates, and there's always still room in that capital factor. We have not committed a full \$105 million, but if you look at the long-range capital plans, you will see that there is a substantial portion for 2011-12 projects and into out-years.

So, what we're trying to show, especially here for debate and to work with the opposition on, is to give a longer term window and picture of the financial position of Yukon and what has been committed to date, so that there is a clear understanding of the fiscal position of Yukon to try and remove some of this speculative approach to the what-ifs and recognize that the “what is” is very important, always keeping in mind that we must adhere to that discipline of the public accounts for any given fiscal year that has been closed out to be concluded, so we then have the actuals that will be applied to the estimates before us.

Mr. Cardiff: This leads me to the next question. We talked earlier about the booking that has changed with the Building Canada fund. Bear with me — so on page S-7, Building Canada fund, with the little “2” beside it, it shows no money coming in. We're talking about revenues, transfers from Canada — there is no money coming in from Building Canada. They are shown as recoveries by the sponsoring department. If you look at the Department of Highways and Public Works, we are expending money under the Building Canada fund and we are recovering money.

I want to know why it isn't reflected here?. Where is the money accounted for and how does it get to the department? Why aren't we showing it here?

Hon. Mr. Fentie: It won't show in the traditional form of transfers from Canada, and, by the way, that's why I pointed out that other jurisdictions are not doing it this way. Other jurisdictions such as provinces have their own audit function or audit branch, and their guidelines are different from ours. By the way, that has been brought up with the federal Minister of Finance and headed up by the Finance minister from B.C. The individuals involved in the public sector accounting guidelines in their development and implementation have been forewarned that governments need a more consistent approach to accounting. We can't be changing things in midstream all the time.

In our case, the exchange of a transfer from Canada to recoveries from Canada is how this will be done because the values for building Canada — the Building Canada fund — will be accounted for and booked on a matching basis. In general terms, I will point out that would be done after projects have been approved, the dollar value has been set and Management Board has given implementation approval.

Mr. Cardiff: I have a couple of other questions about the multi-year capital plan. Specifically, the Premier talked about the fact that the capital plan reflects that we're not going to be spending as much money on capital in the coming years because we're not building another airport terminal, but we're continuing to build a correctional facility. We are going to be building a school.

There are a number of other projects. Interestingly enough, there was money at one time — there's a line in here under Health and Social Services for McDonald Lodge replacement, which is zero/zero and then \$1 in each of the next two years. I think I understand why that is — probably because the Hospital Corporation is going to borrow the money to build a replacement for the McDonald Lodge in Dawson City. The Premier can enlighten me on that when he next stands up as well. But one of the things that concerns me — and we were having this debate in the Legislature on the supplementary budget last week when the Department of Highways and Public Works was being debated — is the importance of the infrastructure. We were talking about worker safety earlier today. Now we want to talk about public safety and maintaining that network of highways that we have.

I don't even want to go to the highway construction part of it. I just want to look at highways rehabilitation. There's less money being spent in future years on highway rehabilitation, both for primary highways and for secondary highways. I'm concerned as to why the government would actually plan to do less work on the vast network of highways when the discussion that we had just last week indicated that there was much work to be done on some of these highways. It's my understanding as well that there have been commitments to do some other major work or discussions around doing major work on some of the Yukon's highways, like as far as major road reconstruction.

I'm just wondering why in the five year plan we see a reduction in these areas.

Hon. Mr. Fentie: I understand the member's concern in looking at the budget as he is. That is the danger of picking

out one area of a budget, especially a budget the size of the Yukon government's, and then trying to extrapolate that as in fact we would be reducing highway investment.

In some specific projects we may be, because the project is done. That is understandable because you wouldn't rebuild the same 10 kilometres of highway that you just finished.

The member also has to include a number of other things. The member has to include the fact that there will be a \$12 million annual building maintenance program. There will be, in other capital projects, million of more dollars available. So you cannot isolate one section here and say, "Well, that's the way we are going to expend monies going into the future on highways," when in fact there are a number of other areas that in all likelihood may very well have investments going forward.

So we have to look at it in the full context. That's the problem with the Liberals — the Official Opposition — in this House, when they try to manufacture a budget by one estimate. As I said to the Leader of the Official Opposition the other day, that would be the same as reporting only part of your income to Revenue Canada. It's not a good way to do things and it's not a good financial management practice.

So what we've provided here is much more detail in our budget documents to show all-inclusive that there are significant investments being made going forward, even to the point where the member asked something about the corrections investment, I believe, which shows that the projections to 2011-12 include, in that year — in 2010-11 — \$28 million for corrections and \$10.423 million in 2011-12.

The member asked about McDonald Lodge and one dollar. That's got nothing to do with the Hospital Corporation; that has to do with the fact that McDonald Lodge — the facility that exists today — is time expired; therefore, the dollar shows that, in the budget cycles, McDonald Lodge is a valid project.

Mr. Cardiff: I do recognize that. Okay — that makes sense. But there hasn't been any work done with regard to — because I believe there was money in previous budgets for that.

My point isn't about construction and building. I understand you don't build the same 10 kilometres of road year after year in the same spot. You build it in different spots over years, and it's a reconstruction. What I'm talking about is the rehabilitation of existing roads.

If you look at that, the figures drop fairly dramatically — by 50 percent in future years, basically, on both secondary highways and primary highways. Maybe the federal government will have another infrastructure economic stimulus package that will allow the government to spend more, but I'm just wondering why they chose those areas to forecast spending less.

Because it is about public safety on the highways, and it's about the safety of the tourists and the truck drivers who are carrying goods across those highways, whether they're carrying them through the territory or distributing them to the various communities in the territory. It just seems to me that we're getting to the point where we're getting the infrastructure in shape, where we do have reasonably safe highways, but as was admitted to by the minister last week, there's still much work to do

and it's about priorities. If it's about priorities, why are we forecasting reductions?

Hon. Mr. Fentie: We have to not ignore the fact that primary highways are part of this — airports and so on — and so is the Building Canada fund. Let me go directly to the highway rehabilitation issue for the member opposite. We have rural roads, and these are secondary roads — they call them secondary highways, but they're actually roads.

We have a set allotment for a rural roads program, and I think what the member is referring to in the 2010-11 is that there has been a bump-up, and you can delve into the detail with the minister responsible. There has been a bump-up, which could be — and I would stand corrected — from a lapse from last year that is brought into this year. Relatively speaking, highway rehabilitation and secondary roads is showing a \$700,000 allocation, and I believe that is a representation of the rural roads program.

But there are many other areas of investment in highways. Okay? So it is not just the one factor. And primary is also investing monies — you will see bridge investments and primary highways actually going up. So it is relative to what projects the department has at the ready and what they believe they will have at the ready in any given fiscal year. I think we also have to remember there is a lot of work that has to be done before any highway reconstruction is at the point where we can determine the value of investment we will be making and also the fact that you've got to create a tender. A tremendous amount of engineering specifications must be developed.

So we're dealing with exactly what has been presented through budget cycles, including forward-looking representations of projects, but not excluded or limited to.

Chair: Is there any further general debate? Seeing none, we will proceed with Vote 54, Department of Tourism and Culture. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is Bill No. 20, *First Appropriation Act, 2010-11*. We will now proceed with general debate in Vote 54, Department of Tourism and Culture.

Department of Tourism and Culture

Hon. Ms. Taylor: I am very pleased to be able to present the 2010-11 operation and maintenance and capital budgets for the Department of Tourism and Culture.

First, I would like to open my remarks by extending my heartfelt thanks to the Department of Tourism and Culture for all of their hard work and their diligent efforts in putting forward and working with the government on the development of this budget. I would also like to thank each of the officials within the Department of Tourism and Culture for their ongoing

support to our office. It has really been a privilege and pleasure to be able to work with the department over the years.

As I have referenced over the years, I continue to learn a significant amount from each of the officials, and it is a very diverse department. It encompasses a whole host of areas, which we will get into in the next few minutes. But again, I thank them for their expertise, for their thought, for their consideration of ideas put forward by me and by industry and very much so by sector-wide tourism operators from the arts community, the cultural sector and many others.

This fiscal year we have approximately \$20 million identified for operation and maintenance. It is indicative of our ongoing commitment to Tourism and Culture, and especially in recognition of the social and economic well-being of the territory. With the staging of the 2010 Vancouver Olympics and Paralympic Games, 2010 has been a year of unprecedented success — an opportunity for both raising global awareness of Yukon as a travel destination and for celebrating our culture with a world audience.

By signing on as a contributing partner with the Vancouver organizing committee for the 2010 games a few years back, we were able to position ourselves as an integral part of Canada's games and overall national identity, cultural fabric and economic climate and ultimately position the Yukon as an amazing, unique place in which to visit, live and invest. For our department, an investment of approximately \$1.7 million went toward showcasing Yukon as a visitor destination and exposing visual artists and performing artists to world markets. It was our conviction that by both marketing the destination and by showcasing Yukon culture, we were able to capture two sides of the same coin.

All that we presented in Vancouver in every venue, at every celebration live site — I was very pleased to be able to participate in a number of live sites — as well as Canada's Northern House, the aboriginal pavilion, and B.C. Place, Yukon very much shone and we were able to celebrate Yukon as a place that is truly naturally spectacular and culturally unique. I believe that all Yukoners are to be commended and congratulated for their efforts, for their hard work and for their humour, for their talent. It was an amazing experience for Yukon all around for those who were able to take part in the games and those who were not able to take part in the games.

I keep likening our investment in people, and really, that's what Yukon's investment was all about — an investment in our human capital. Thanks to our contribution and partnerships with Yukon First Nations and many others, we were able to leverage our investment substantively. It was a great investment in our Yukon residents, citizens, those who were involved on the cultural side, as well as the tourism side, as well as the traditional sports athletics side, youth ambassadors.

There were elder ambassadors. Overall, I believe there were up to 150, if not more, Yukon citizens who were present for the games and who gave it their all, and did an astounding job in representing Yukon on behalf of Yukon. The success of the marketing cultural events at Canada's Northern House and the many other venues. There were, all told, about 15 cultural venues throughout the Lower Mainland, at which Yukon was

pretty much represented at every single venue. I reaffirmed what draws people to Yukon and what makes them stay. That, of course, includes our people, the stories, the images and the sounds of this amazing place. That is why the link between tourism and culture is so very strong, as I alluded to the other day. That is why we will continually view our arts, heritage, history and culture as essential to sustaining and growing Yukon's tourism sector and Yukon's economy. In 2010-11, we will continue to build on the momentum of Yukon's presence at the games by promoting awareness of Yukon as a destination of choice and by supporting our arts, heritage and historical programs that not only contribute to the well-being of Yukoners but attract visitors, investors and even potential residents.

As we know, Vancouver is considered a prime domestic travel market. The Olympics provided a unique and timely opportunity to market Yukon as a destination. Also, with so many Canadians visiting Vancouver, other gateway cities including Edmonton, Calgary and Toronto were represented by visitors to the games. We built on this exposure to these key markets and that which we invested in during the Olympic period — but not only that, we built upon the success of the national marketing campaign, the Look Up North marketing campaign that we were able to kick off in 2006-07, and we also carried on other marketing investments, partnering with our two sister territories.

We were really pleased to be able to enhance our marketing operations in North America. In particular, funding to Destination: Yukon will increase by \$500,000, for a total of approximately \$750,000 for this important marketing program that caters to our key visitors and the gateway cities of Vancouver, Edmonton, Calgary and Toronto.

As we all know, Yukon is just a short distance, whether it's by road or by plane, for the segment markets of these respective visitors who reside in these areas. So we were very pleased to be able to continue to build on the momentum and, again, by increasing the North American marketing dollars to this amount.

One other way to reach potential visitors in these areas is through trade and consumer shows. Tourism Yukon actually has partnered with industry partners, including Air North, the Klondike Visitors Association and many others, to attend consumer shows, one of which just recently included the City of Edmonton and also the City of Vancouver. These shows — as members opposite will probably observe — receive thousands of visitors walking through the areas, and it is an incredible opportunity for Tourism Yukon to partner up with trade partners from throughout the Yukon, as a means of being able to provide that Team Yukon perspective, not only by being able to raise awareness about the Yukon as a travel choice, but also by being able to bring information about specific operations — hoteliers, accommodations, attractions, and many, many others.

In addition to Destination: Yukon, marketing operations in North America also include a continued \$110,000 toward participation in Tourism North, a partnership with the Alaska Travel Industry Association, Tourism British Columbia and Travel Alberta, to again cater toward those coming from the

United States, but also throughout Canada, whether it be on our highways or whether it be by air access.

We are also very pleased to contribute well over \$600,000 to a number of key organizations delivering tourism products and initiatives, including Wilderness Tourism Association of Yukon, also Yukon Convention Bureau, and the Yukon Quest International Sled Dog Race. These are just but a few, and there are many, many other stakeholders — in fact, I believe we have well over 200 stakeholders in the Department of Tourism and Culture, when one covers heritage, culture or tourism organizations through our respective funding agencies.

We were, of course, very pleased to provide ongoing dollars toward marketing overseas. We will continue to focus on marketing overseas in Europe, Asia, as well as Australia. Again, German-speaking Europe remains one of Yukon's strongest year-round markets. Again, our ongoing relationship with Fulda, Condor and other travel/trade partners in this area provides wonderful opportunities for the Yukon through media-branding value in Germany, and again raising awareness of the territory overall as a tourism destination.

The public relations value generated for Yukon from the Fulda Challenge, for example, is estimated to be more than \$5 million, in addition to the \$1 million that is spent directly in the Yukon. It's a very strong return for the \$150,000 investment.

We are very pleased to also be able to enhance the dollars to the tourism cooperative marketing fund. Formerly, it was coined at \$500,000. This is an increase of \$200,000, which provides direct funding to businesses, governments, First Nations and municipal organizations, partnerships — again, for the purpose of marketing products and services to prospective visitors around the world.

The beautiful thing about this particular funding mechanism is that when we first introduced this fund back in 2004, I believe, we designed this program in consultation with industry. Again, it is an amazing fund because it's designed as a 50:50 cost-shared program. So for every dollar that is put forward by industry, the Yukon government will match that within the prescribed requirements. This tells us that over the years, we've been able to leverage millions of dollars from industry. Even though perhaps industry would have contributed that much, these extra 50-cent dollars provide them even more dollars in the end — which has resulted in millions of dollars more in tourism marketing, not only the Yukon, but also individual products and services offered by the travel trade here in the Yukon.

In addition to administering the tourism cooperative marketing fund, the product development research unit supports a number of programs aimed at advancing tourism products to meet and exceed standards and to grow year-round tourism products.

The unit also provides relevant and timely business data and intelligence to support tourism and other stakeholders' marketing investment decisions. As we know, issues around land use and resources also impact the tourism sector. The department also participates in and contributes to environmental assessments, as well as regional land use, park and other government planning initiatives. We also communicate with tour-

ism operators and industry organizations regarding land use resource issues that may affect tourism activity and potential. For potential travellers and those already here, we demonstrate great Yukon hospitality and provide great service excellence and advice through our visitor services unit. They are absolutely essential to seeing that visitors get the most out of their travel experience in the Yukon and are encouraged to stay longer and to share their experience with family and friends.

We are very committed to working with our partners in industry, in particular with the Tourism Industry Association of the Yukon and the Senior Marketing Committee to identify priorities that enable Yukon not only to adapt but to take advantage of changes and to challenges that we have experienced over the last several years.

It's this ongoing willingness to be flexible, adaptive and responsive to building relationships with tourism and business sectors, and to continue to be industry-led, which contributes to Tourism Yukon's successful programming on an annual basis.

I am very thankful for the good work that TIA Yukon and our Senior Marketing Committee has provided over the years, for their commitment to growing Yukon's tourism sector, but also looking to the future to see how we can continue to grow this sector and take advantage of momentum that has already been created.

It's unfortunate that I'm running out of time because I have pages and pages of more information. I think members opposite know how passionate I am about this very sector and I have a lot to share with members opposite. I look forward to sharing a lot of that information over the next coming days.

Our commitment to culture is supported with approximately \$9.2 million toward the arts, heritage resources, historic sites, museums, First Nation cultural interpretive centres and Yukon Archives. Heritage Resources branch will receive approximately \$833,000 in support of archaeology, paleontology, geographical place names, licensing of scientific research. I am trying to identify all the highlights here. Mr. Chair, the Archives will receive just over \$1 million, which will ensure that Yukon's documentary heritage is acquired and preserved according to standards that ensure its accessibility for future generations of Yukon.

Again, I wanted to say thank you to Yukon Archives for the continued programming that they do provide. One only has to take a look in the papers or listen to radio advertisements about ongoing public lectures, workshops about working with other groups such as the Hidden History group, for example, on Asian history or Black history. There are a multitude of stories to be told here in the Yukon and it is thanks to the good work, collaborative work, of Yukon Archives together with other organizations and individuals that we're able to continue to share those stories about Yukon's history.

We have approximately \$885,000, which is allocated to research, preservation management, development and interpretation of Yukon's unique, irreplaceable, historic sites and routes. We have just under \$1.5 million of direct funding support toward operation and maintenance of museums, First Nation cultural heritage centres, as well as to museums capital projects.

We continue to help our heritage institutions, the family of Yukon museums, which is all-inclusive of a variety of institutions, with developing capacity in the heritage sector. One of those programs has been the heritage and culture certificate program, in collaboration with Vuntut Gwitchin First Nation. A First Nation heritage group in Yukon College is a perfect example of one of a variety of programs that we were also able to help launch. We have approximately \$386,000, which is included in this particular program, to be offered this fall through Yukon College.

Mr. Chair, seeing the time, I will wrap up my remarks. I look forward to revealing all the other information and exciting news about the Department of Tourism and Culture. Thank you.

Mr. Inverarity: I thank the minister for those opening remarks. It's always good to hear what's going on in the Department of Tourism. I look forward to our coming days of debate over the department and finding out everything that has been going on over the past year.

I'd like to thank the officials for the work that they've done in preparing the supplementary budget. I know it's difficult and always challenging for the departmental officials to try to get a balanced budget, especially when this year it's a razor-thin edge in trying to have an overall balanced budget.

The mains are, as I said — it's always difficult to do that. I know this year, with the surplus that they're projecting — that \$2.9-million surplus — and considering the \$40-million plus turnaround they had last year, it's always a challenge to try to make sure that we don't run a deficit.

So I think this year will prove to be an interesting challenge, as there is certainly a lot less in the proposed surplus for the year than in the previous year. It should be worthwhile seeing how that's achieved.

With regard to tourism specifically, overall I think it's good there has been a refocusing somewhat on some of the domestic marketing. So we look forward to having some discussion about how that money is being spent and where the money is — or the return on the investment in that, along with the North American marketing.

At this point, what I'd like to do is focus for a minute or two on the tourism operators and the people in the Yukon who make the tourism industry what the tourism industry is. I know there's a lot of discussion — in fact, at the end of the week, the TIA convention will be happening and we look forward to seeing what's going on there again this year. I know last year it was valuable for me to go up to Dawson and participate in the events that were happening up there. I learned a lot.

But tourism isn't all just about the tourism operators. Tourism is about the people who work for the tourism operators. I was in business in the 1990s. As a board member for the Tourism Industry Association, I was frequently questioned as to why I even sat on the board of the TIA and I pointed out that I was in the tourism business and although I sold radios and TVs and little widgets and electronic parts at the RadioShack store, I believe that my business was part of the Tourism Industry Association. It was certainly part of the tourism industry, because we had people coming through our door who were tourists.

When we look around in the Yukon in general, the tourism industry is made up of mechanics who are fixing tires on cars in places like Watson Lake, Haines Junction and certainly coming off the Dempster Highway — mechanics — and even the people who are fixing the flat tires are all part of the tourism industry. Look at the restaurants around the Yukon and you will see hundreds and hundreds of young people who come for the summer to work in the bars, the restaurants — certainly going to Dawson City and spending time in museums, working there. I guess it's important that we recognize these young people — everybody I see, even seniors travelling up to Yukon and working their summers here and heading south for the winter — it's important to recognize them.

Earlier today we talked a little bit about labour mobility. The bill is in second reading, and we will go into third reading of the *Labour Mobility Amendments Act* that will give individuals the ability to travel to the Yukon and to work, whether they're in trades or whether they're just summer students coming up looking for summer wages.

I think that it's important for us to recognize the hard work and the dedication of these individuals who come, because they're presenting our best foot forward. I think labour mobility gives us that ability to do it. I would have to say that I may have misspoke myself earlier this afternoon when I was talking about the labour mobility, because I do support it and I referenced the TILMA project. That was probably a misspoken word on my part because I meant to refer to labour mobility rather than TILMA in general. We were opposed to it. There were a lot of other things wrong with it, and I think it's important for us to recognize that the discussion this afternoon was around labour mobility and the ability of individuals to come from other jurisdictions and work in the Yukon.

It's important for us also to recognize that it's these young people. I know that frequently in the summertime I would pick up the odd hitchhiker heading up to Dawson City and give them a ride as far as I could. They're always looking to try to make their life a lot better than they have been, pay for their university education in general and to do those kinds of things. I think it's time that we recognize those individuals who actually do the grunt work in the tourism industry in the Yukon and acknowledge the benefits that they give us and the time that they spend. They frequently work long hours and it's not just in, as I mentioned, those restaurants or the casino and the reception centres that are out there. It's also the flag person who's standing on the side of the road — in the mosquitoes, talking to the tourists who are coming by — with a smile on their face. They welcome them to the Yukon and pass on information and answer questions that are there. A lot of these people are working 12-, 14-, even 16-hour days over the summer in order to pay for university. I think it's important that we also recognize them.

In looking at the 2010-11 Tourism Yukon implementation plan — I see it's dated April 14, so it's just barely 10 days old, or 12 days old. I wasn't actually expecting to get a copy of this until the TIA convention, so it was much to my surprise that I saw it on the website and was able to briefly go through it and look at some of the information with regard to the tourism plan

for the coming year, so we can seriously get into some questions about this today.

I notice that the plan builds upon the foundation of previous plans and takes further action to promote the Yukon tourism brand, "Larger than Life", by taking a targeted, market-driven approach.

I notice that this year again, as I mentioned earlier, the tourism numbers seem to be down again. I know there's a redirection to do some more North American marketing, but I'm quite concerned that there's a general trend here. I think that perhaps the marketing strategy, the marketing plan, may need to have some — I'm not sure; qualifiers isn't really the word I'm looking for — maybe ROI put on it to make sure that we're getting the best value for our money.

I notice in 2009 the department reported about 282,000 travellers who visited the Yukon, and that represented a 5.7-percent decline in visitations over 2008. That's a fairly, well, significant number, considering that the department spent — I think it was \$1.1 million more than they had projected in the mains from a year ago. So, that's a bit of a concern — make sure that the dollars are well-spent.

I think that there was also a total of 16,000 fewer visitors — I guess those are Canadian — reported in 2009, making it the second consecutive year of declining visitations. I guess some of this was attributed to the motorcoach traffic. Perhaps the minister in her response — and I know she's eager to tell us everything that is going on that is really good — could just give us a bit better overview of some of these numbers that were there. I know that I am looking forward to hearing about it.

I guess I am a little concerned about trends and numbers overall and the dollars spent. It is always good to pay attention to the dollars spent. I have been looking at some of the visitor and tourism numbers that we have and I think that — if I just go back to my page here — we have around 282,000 — around 282,000; I came up with 283,000 but that's just because the numbers aren't broken down by Canadian, U.S. and "other" and they are giving percentages so there might be a bit of a rounding error there.

What I have determined, though, is that, if I look at the past 15 or 17 years of tourism numbers, there have been some significant changes. For example, in the period from about 1995 to around 1999, there was about 1.6 million or 1.678 million people who toured the Yukon in that period of time, but from 2000 to 2004, there was actually a decline — I'm taking these in five-year breaks — that we were down about 153,000 visitors over that period of time from the previous.

I suppose that might be attributed to the 1998 year of the anniversaries here because, what I'm showing is that from 2005 through to 2009, they were back up a little, not as good as we were from the anniversaries year, but we're at 1.52 million people. That's about 27,000 more than we had for the previous five years, but it's still down 125,000 from the time of 1995 to 1999.

When I say I'm concerned about those numbers, really the indication is they're really fairly flat. For example, this year, 282,000; in 2006, 315,000; in 1999 it was 330,000. Mind you, in 2001 we were around 283,000.

What I'm seeing here and if you were to graph those numbers, our numbers are actually fairly flat. There are not significant increases and, as the report had indicated, there's a general decline in the numbers even as we speak now.

I know I'm actually anxious to hear from the minister as to why this trend down is happening; I suppose the dollar might be part of it but I'll let her explain those issues and just see what they are.

I think my time is — so let's leave it at that and I'm kind of curious to hear the minister explain some of the trends in the marketing, where she expects them to go over the next little while. I'm anxious to see the industry grow and become vibrant again. If there's anything I can do to help, I'm anxious to do that.

Hon. Ms. Taylor: Thanks to the member opposite for his remarks. Lots of great questions, and I'd be happy to answer them, given the time allotted. First of all, I did want to just back up the discussions regarding our tourism operators. I would be the very first to concur with the member opposite that tourism operators aren't just those providing tourism-related products. You're absolutely right — sorry, Mr. Chair — the member opposite's words are very true. It is from the service attendants at our local gas bars or people working in the restaurants, to people even working at our auto-parts store. In fact, that's why we have often coined tourism as a very large private sector employer. We very much appreciate their contributions to the economic well-being of the territory. There is a whole host of sectors within our own tourism sector. In fact, there are about eight, to be exact.

In the Department of Tourism and Culture, a key mandate is to bring more people to the Yukon, but it's not only that. It's also about bringing more revenue as well, because we could expand those numbers to a million visitors every year, but if the revenue was to be the same as for \$300,000 then that would all be for naught. So you have to keep that balance and perspective as well.

We have been focusing on a number of various areas within Tourism and Culture and there have been a lot of travel trends that we have seen. I mentioned before that you won't find a more resilient sector in the territory than you will with tourism because, through the ups and the downs, tourism does continue on. Everywhere I go, I ask operators — whether they are owner/operators of RV parks, for example — how is business? I talked to one of the major operators in Watson Lake last summer and he said that they had their best year ever last year.

He also qualified that remark by saying that he also had to change the way he does business. He also had to change who he caters to in terms of the market and how they were coming up and so forth. I could go on at great length but the key is that Tourism, thanks to industry and our strong working partnership over the years, has been able to reflect on our successes, but we've also looked at the challenges. One of the first challenges was starting with 9/11 and then it went from 9/11. If that wasn't one of the largest challenges posed for our air access, I can't think of any others since then. There have been others, of course. I was just reminded of the western hemisphere travel

initiative — and we talked about that earlier today — and providing enhanced secure drivers' licences.

The uncertainty and the confusion that was leading up until that date of compliance as to what would be required as a form of secure documentation identification created some confusion in the marketplace. That also deterred people from potentially coming to places like the Yukon and Alaska.

We experienced SARS, for example, in Ontario, which had a rippling, dramatic impact on the entire country of Canada. We talk about, even today, the United States. The member opposite made reference to a decline of just over 5.5 percent last year. That decline was primarily attributed to the United States visitation, which continues to be an unknown. But I also remind the member opposite that we have been experiencing a large economic recession that has been global, and particularly the United States continues to deal with that.

There are signs of optimism but there is still a great degree of uncertainty that remains in the marketplace.

Demographic changes — we talked about travel trends back in the 1970s. Here we are in the 21st century, and there are changes in age, changes in retirement, changes in how people travel, changes in how people book. These are all things that are reflected continuously by industry. I attribute the good success — and again, I refer to a 5.6-percent decline last year. But, you know, relative to other jurisdictions in the country, we fared relatively well, and I attribute that to measures to mitigate some of these losses that we knew were coming from the United States and to be able to build on successes, like through the domestic markets, overseas markets and so forth.

We continue to work with our partners, our organizations — Wilderness Tourism, Yukon Quest and many, many others — the efforts of which have a great impact on visitors coming to the Yukon, and raising awareness of the Yukon as a destination of choice. That has been a really major shift in how we market as well.

So those are just but a few examples of how we have reflected on the past, but also how we've come up with an implementation plan. The 2010-11 implementation plan, as I understand, was adopted by industry only days ago. I don't think it was even posted on our website. I could be wrong. But it does set the blueprint for the road forward, in terms of where we are to invest in changes or perhaps to stay the course. Again, we rely on the industry-led, the research-based, and the market-driven approach in everything that we do when it comes to marketing Yukon in developing programs and evaluating and implementing those programs as well.

Mr. Inverarity: I thank the minister for those comments. I know we're both sort of on the same plan here in trying to make tourism great.

I did get a copy of the Tourism Yukon implementation plan off the website earlier today, so it is there now and it's kind of what I'm going through here as part of the plan.

I have a few questions to ask. Before I do, I wanted to go back to these tourism numbers. I know that they're always a concern and I'll be the first to admit that when you get into numbers, you can make them good or bad or different or however you want to make them. It's good to have them just stated

so that we can refer to them and make sure that people are aware of them.

I mentioned earlier the decline in visitations, and I'll just quote here from the guide, if I may. It says on page 12: "Significantly lower visitations by motorcoach, 18,709 visitors, was a major contributing factor to the total decline, as private visitations was actually up by 1,723."

I note in the marketing plan they have that there are additional revenues that are going to be spent on marketing to — if I'm correct — Vancouver, Calgary, Edmonton and Toronto and that they're going to be targeting those individuals. I am assuming that is primarily toward the air traffic and the highway traffic for those individuals who may be coming up and perhaps the minister might be able to clarify if that is true.

My concern is that I know we have a large French population here in Yukon and I would have thought that Montreal would have been probably included in that marketing plan, considering the number of French-speaking Yukoners who live here and try to bring their family to visit over time. I recall when I lived in Nova Scotia for a year or so that they had a "Come on home" kind of campaign and tried to encourage all those Nova Scotians living in western Canada to come back home.

It might be an opportunity to look at targeting other — perhaps Quebec — to have the French community to come to the Yukon to experience our culture here and certainly the diverse French-speaking population that we have.

In addition to that target market, I know I was having dinner the other night and it came up a couple of times. I may have mentioned it before, but at this time of year we hear on the radio about all the farmers who are out there trying to get their crops in, trying to get all of their seeds sowed, so to speak, not only in Canada but in the midwest of the United States, where there is a significant farmers population.

It was brought to my attention that, during that period of time, after the seeds are sown farmers frequently have a lot of time on their hands, maybe up to six weeks. A lot of them own RVs. They don't listen to CFUN radio in Vancouver or in Calgary — the big Calgary radio station — and I'm not sure if you're even marketing on radio, but they are more interested in the *Farmer's Digest* and the radio that plays the hog futures and what the price of wheat is going to be from a futures perspective, and it might be worthwhile looking at that market because these farmers certainly have the time and I know that they're always looking for somewhere to go in that six-to-eight-week period that they have where their seeds are planted and they're waiting for their crop to come in. Not being a farmer, but it's something — it's another target market and perhaps the department has already looked at it and written them off, but I'm not sure.

Perhaps the minister could mention if they've looked at other target markets outside of those four specific cities. It strikes me that we probably do a lot of marketing in Vancouver, Calgary and Edmonton, anyway, just by the nature of them being gateway cities to the Yukon. I would think that it would be important for them to — you know, that they would get

some blanket coverage. Certainly Vancouver this year, because of the Olympics, had a lot of coverage.

I would like to know whether or not the money invested in the Olympics, from a marketing perspective and from a cultural perspective, is going to bear fruit. It may be too early for that, but it is something we always need to keep an eye on, in terms of numbers. Just getting back to this document: "Visitor origin data of 2009 reveals that visitation from the United States and from other countries was down in 2009. Visitation from the United States, Yukon's largest contributor to total visitors, was down 7.6 percent" — or almost 16,000 visitors.

Visitation from other countries was down 11 percent — it's only 3,497. Helping to offset some of the declines was an increased visitation from other parts of Canada, which increased by 12 percent, or 3,176 visitors.

It looks like a mixed bag. Certainly the Canadian visitors and the highway traffic were up. That's good to hear a little bit. However, I am concerned that our American friends are not coming here in the droves that they used to come in. I know in the past that we depended heavily on that Alaska Highway travel. I am not sure if there are any anniversaries coming up that we can tap into again but I believe that we should be looking at doing our best. Maybe it is an opportunity for us to look at some incentive travel for getting Americans to return to the north. I was going to suggest that maybe — and this is a tongue-in-cheek comment more than anything else but I always remember the old John Wayne movie, *North to Alaska*, and Americans certainly had their dreams about coming up the Alaska Highway and going for gold. Maybe we could be looking at tapping into that market again and trying to increase those numbers.

From an incentive perspective — and I would have to defer here to the good employees that work within the Department of Tourism and Culture to correct me if I'm wrong, but it may be a way to increase domestic, if not highway, traffic — certainly, we could target air traffic — by offering some sort of incentive to some of the American market to come to the north. I know that the Destination: Yukon — which is the Vancouver and Calgary area in terms of the target market there — obviously is a form of incentive. It may not be direct but it certainly is helpful and it is worth looking at.

I also found it interesting that, as I skim through this, 87 percent of the travellers interested in Canada consider environmentally friendly tourism important, and 81 percent believe Canada to be an environmentally friendly destination. This goes to last year when we were discussing tourism on the rivers and high-end travel — that people wanted to come to the Yukon to get away from it all, literally. I think that we should be looking at perhaps tapping into this.

I know the government hasn't come out yet with a policy on the Peel, but certainly the three rivers that we have up there have received significant comment from the tourism perspective. I know a lot of people like to canoe down them and travel in that area, but we also have Kluane National Park, as our friend from beautiful Kluane likes to tell us about every once in awhile. I also think that there are other areas of the Yukon;

certainly just even travelling around, up and down the highways, is significant.

Just to get on to some of the comments that I have here regarding the plan. I notice on page 8 of the plan that they talk about SMC marketing recommendations and then in brackets it has got “2009 Strategy Retreat/Strategic Priorities.” I would ask the minister in her next comments and reply to me if she would comment on the strategic retreat component of this title as to what that means and how it is affecting the tourism industry and certainly the Department of Tourism. I noticed that the government is providing \$500,000 in additional monies for the domestic Destination: Yukon campaign but I don’t see the retreat component in the descriptions underneath here, and perhaps the minister could make mention of what the strategic retreat/strategic priorities are going to be in the future.

Also, on the same page, under the marketing recommendations, they talk about allocating 45 percent of the overseas marketing budget to the retention markets of Germany and Switzerland. Then they go on to 30 percent about market growth in the U.K., Australia; 25 percent to the acquisition markets of Japan, Netherlands, South Korea, France and New Zealand.

In the action item next to that, if it’s for that, is, “department to incorporate the recommended budget allocations into the overseas marketing plan.” When I looked at the budget, I noticed — if I’m not correct — that the overseas marketing is actually down by about \$400,000 or \$500,000. I’m seeing approximately \$400,000 there, and I know that the airline Condor is playing a strategic role in trying to bring Germans and Europeans over to Canada — to the Yukon specifically.

I’m going to be interested in seeing what the minister’s comments are regarding the allocation of the overseas. Now, is the minister looking to reduce the amount of marketing done in Europe? Is she looking at targeting some of these fringe markets that she calls “acquisition markets”? While I think that one of the countries — maybe I missed it here on the page, but China doesn’t appear to be listed here. Maybe I am just missing it. As I said, I haven’t had time to go through this report in significant detail because I just got my hands on it.

Also, the other area that is of concern — I’m kind of wrapping these all together here because I know I’m probably not going to get an opportunity to go into a lot more detail on it — on the adventure programs. I touched briefly on this. It says that marginally decreased adventure-focused expenditures over the next five years and touring programs, marginally decreased touring-focused expenditures over the next five years — this is what concerned me. Over the last two years, we’ve been hearing about adventure tourism and the significant role that it’s playing and what adventure tourism is actually doing.

I see decreases in this and certainly it looks like the focus is changing from going after that high-end ecotourism. I would be kind of curious to see if this is a strategic change and what they’re talking about. That’s a major concern for me.

I think, seeing the time, perhaps we could report progress.

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

All Hon. Members: Agreed.

Chair: I declare the motion carried.

Motion agreed to

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

Chair: It has been moved by Hon. Ms. Taylor that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair’s report

Mr. Nordick: Committee of the Whole has considered Bill No. 20, *First Appropriation Act, 2010-11*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Ms. Taylor: Mr. Speaker, I move that the House do now adjourn.

Speaker: It has been moved by the 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 5:28 p.m.

The following document was filed April 26, 2010:

10-1-146

Rural Well Program; availability in Whitehorse: letter (dated April 8, 2010) to Hon. Archie Lang, Minister of Community Services, from Brad Cathers, MLA, Lake Laberge. (Cathers)