

**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, November 4, 2010 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In remembrance of Johnnie Smith

Hon. Mr. Edzerza: I rise today to pay tribute to Johnnie Smith, a respected elder, leader and a friend, and I will do this in a traditional way from my heart.

I did pay tribute to Johnnie Smith a couple of years ago when he was physically present in the gallery. It was a very overpowering experience to be able to pay tribute to someone who has contributed so much to the First Nations in the Yukon while he was present in this gallery. I feel today that his spirit is present today.

I know that there are many, many First Nation people who have very high regard for all of the accomplishments that Mr. Johnnie Smith did during his time on this earth, and I believe they would be far too many to be able to name all of them today. I view my friend and respected elder Johnnie Smith as a trailblazer for First Nations in this territory. He always was involved, whether it was politically or within the community. I know he attended with a delegation of chiefs and leaders from the Yukon. They went to Ottawa I think it was in February of 1973. There's a very nice picture of him where you see him standing right out in front and you can just see the pride in his face of being able to be there as a representative for the Yukon people.

One of the accomplishments that I personally experienced with Johnnie Smith was the relocation of what was known as the old village down in the industrial area to the new location at McIntyre. I remember the conditions in the old village: there was no running water; outside outhouses. He moved and worked many years to accomplish moving from that location to the McIntyre subdivision that now exists, where there are very modern and up-to-date living accommodations for the Kwanlin Dun people. Johnnie was a very politically minded person and I must thank his wife Annie today because I know that she had to give up a lot for Johnnie to be involved in politics, but I have a feeling that she may have been one of his main advisors.

Johnnie was also a man who was not selfish in sharing his traditional knowledge. Any time there was a cultural day at Elijah Smith Elementary School, for example, you could always count on Johnnie to be there, pitching in and teaching the younger people some of the traditional ways. He and his wife Annie also ran the cultural camp at Fish Lake, which was attended by many schoolchildren. I remember going through the

halls of Elijah Smith with him, seeing up on the bulletin boards probably 50 or 60 notes, all written to Johnnie and Annie, praising them for the wonderful time they had at the cultural camp. Johnnie was not only a person who gave his political knowledge and wisdom; he was also one who was a very community-minded person who didn't mind pitching in and teaching the younger kids about songs and dances. I might add that he was very good at singing the traditional songs.

But there was also a spiritual side to Johnnie that I knew. I remember sitting with him on different occasions when he played the guitar and sang gospel music, and I must admit it was very entertaining. He was a very good singer and to hear him sing his traditional songs dressed in his traditional clothing was something that made not only me, but I believe most First Nation people, proud to see our elder actually out there singing and dancing.

John once said to me, "Did you know I can even talk your Tahltan language?" So, Johnnie, I say to you today [*Member spoke in Tahltan.*] which means, in Tahltan, I love you, and today I thank you from my heart for the teachings you gave me and all that you did for the citizens of the Yukon Territory. Meduh. Thank you.

Mr. Mitchell: I rise today on behalf of the Official Opposition to pay tribute to the life of Johnnie Smith, respected elder and former Chief of the Kwanlin Dun First Nation. Chief Smith was born near the Marsh Lake dam on April 1, 1922 to Kitty and Billy Smith.

He was the third youngest of six children and led a traditional life. His family roots can be traced back to the discovery of gold in the Klondike, as his great uncle was Skookum Jim and his uncle was Tagish Charlie, but of course they go back much further than that.

Though never receiving a formal education, Chief Smith was a good provider for his family. He strived to advance the interests and rights of First Nation people and through his vision and leadership many things were accomplished. Johnnie Smith served three different terms as Chief of the Kwanlin Dun First Nation between 1969 and 1988. As Chief of Kwanlin Dun, he was the architect of the community's move from the Marwell Industrial Area to its current location in the McIntyre subdivision. His vision was for Kwanlin Dun families to have access to better housing, clean water systems, and access to schools. He also helped in the establishment of the Tagish Kwan Development Corporation and a local general store on the reserve.

In 1973, Chief Smith was part of the delegation of chiefs who travelled to Ottawa to convince Prime Minister Trudeau to begin treaty negotiations with Yukon First Nations. Those meetings led to the beginning of the negotiations of the Yukon *Umbrella Final Agreement*. Today, with 11 final agreements signed, we see First Nation governments established and benefits flowing because leaders like Chief Johnnie Smith had a vision for Yukon First Nations.

Johnnie Smith was a gentle man and a proud family man who loved the land and the traditional way of life. He was a man of integrity, honesty and vision. As a strong advocate for

First Nations, he was the voice of reason and a mediator whenever disagreements arose among Yukon First Nations. In 1998, Johnnie Smith was publicly recognized and received the Skookum Jim Elders Award and in 2003, the Yukon Commissioner's Award.

Chief Johnnie Smith has left his indelible mark on the Yukon and Yukon First Nation people, and we have lost a respected leader. Johnnie Smith and his wife Annie had a wonderful 67 years of marriage. Together, they raised a large family of 10 children. Johnnie Smith was a brother, husband, father, grandfather, great-grandfather, and great-great-grandfather. It was evident by the huge turnout of Yukoners at Chief Smith's funeral ceremony that he was respected and loved by many, many Yukoners. It was indeed a very moving ceremony. We wish to express our deepest sympathy to his wife Annie, and to all his family.

In time, may the love you shared as a family and your special memories help bring you comfort through this difficult time. Thank you. Günilshish. Mahsi' cho.

Mr. Cardiff: Mr. Speaker, I rise on behalf of the New Democrat caucus to pay tribute to Johnnie Smith, who left this world and us last September 25. Johnnie was born on April 1, 1922 near Marsh Lake, where he now lies with the Tagish Kwan people. His life and soul were always on the land. He lived off the land by hunting, trapping and cutting wood with his wife of 68 years, Annie.

Johnnie was always a reliable provider for his large family throughout a time of economic change that did not always value the traditional way of life. He had a close business relationship with the Taylor and Drury store, where he sold his furs and the berries that his family picked. He instilled in his children and his grandchildren a very strong work ethic that served them well as each one took his or her share of the load of making a living. He taught his family that "you have to do what you have to do" so that you can earn a living.

Johnnie had a strong commitment to helping others, and his loving concern was enjoyed not only by his family, but by his community as well. He grasped what the changes meant. His leadership qualities were recognized by his community when he became the transitional chief from his father under the hereditary system, and was then elected chief twice more between the years of 1969 and 1988. He was instrumental in the relocation of Kwanlin Dun from the Marwell Industrial Area in Whitehorse to its present location and was very active in land claims and self-government negotiations.

Although Johnnie received no formal education himself, he firmly believed in education, encouraging everyone to stay in school, even when it meant sending his children to residential school after a weekend or a holiday at home in the bush. He always made sure that they returned on time.

Johnnie travelled around the southern Yukon by foot, dog team and on the river. He was never afraid to try new things and delighted in buying his first vehicle — a brown panel truck from the army, in which he used to take his family to his father's country in the Wheaton River valley. An example of the change he saw in his lifetime was the fact that his very first

plane ride was to Ottawa to meet with the Prime Minister to discuss land claims in 1973.

The strength, the flexibility, and the integrity that Johnnie had throughout his life came from his relationship to the land and to First Nation culture. He had a remarkable facility with language and spoke Tlingit, Tagish, Kaska, Southern Tutchone, and some Northern Tutchone. Much of his time in later years was spent teaching Southern Tutchone, traditional storytelling, singing, drumming and dancing. He and Annie also found comfort and fellowship in their Christian beliefs and, to this day, a building that he built as a garage is still used as their church.

Johnnie's relatives have described him, first, as very wise and a caring grandparent and parent. His daughter says she couldn't ask for a better dad and that he always gave a lot of love. He was very patient with his children and he had a great sense of humour. Johnnie's ability to adapt meant that he got along with everyone and he had many good non-First Nation friends. He never hesitated to give advice to anyone, even to his daughter Judy when she became the Commissioner of the Yukon. He was a good listener and was always counted on to be reasonable. He wasn't afraid to change his mind after thinking about an issue.

As a respected elder, he would compare the present day to long ago and was completely aware of the changes that might interfere with the natural processes of the Earth. He could tell the weather from the behaviour of animals. He is remembered for having told a bear that got a little close to his camp, in Southern Tutchone, "We've got to live too. Go find your own food." He refused to kill it, and the bear finally ran away. Johnnie Smith's life is symbolic of a generation of strong leaders who have led First Nations in this territory from uncertainty into a future that is now bright with promise. Based on the traditional culture of his ancestors, Johnnie Smith's vision gave him the adaptability and confidence to achieve great things for his family, for his people and for all Yukoners. We should all give thanks for having had him in our lives and for his family for sharing him with us.

Mr. Elias: I also rise today to pay tribute to a man that is in a class and caliber of his own — the memory of Johnnie Smith of the Kwanlin Dun First Nation — and to show my loving respect.

The Kwanlin Dun First Nation has lost an esteemed elder and mountain man. Johnnie played an integral role in his First Nation and the Yukon. Mr. Speaker, Johnnie valued family, his language, his culture and the oral teachings of the Kwanlin Dun, and I stand here today feeling so privileged and proud to have shared time with him.

In the mountains with Mr. Smith, around Alligator Lake and in the Wheaton Valley, I spent time with him in my youth. As well as getting stuck in mud holes and bouncing around on the back of his three-wheeler, we had a lot of fun up there. I credit Johnnie with my sheep-hunting abilities and knowledge of travelling in the mountains and I pass that knowledge down to my sons now.

I'll tell you a quick story, Mr. Speaker, about Johnnie Smith. He showed me these sheep-hunting areas when I was

small. As I got older, I went to him one time to seek permission to go to this area to hunt sheep where he showed me. I stuck my head in his house and I talked to him. I said, "Johnnie, is it okay if I hunt sheep in that area where you showed me?" He said, "Ah, there's lots of sheep up there yet. Go ahead," he said. So that was his way of teaching as well.

I will honour his memory by carrying on his rich traditions, his messages and his teachings and by never forgetting his hard work and sacrifices. He has passed on to us a legacy that now lives on through us, his precious children, grandchildren and great-great-grandchildren. It is our responsibility to pass on those teachings to the generations to come.

My condolences to Annie and the family and friends of Johnnie Smith. To the family that Johnnie has left behind, may you find comfort in the knowledge that this elder was greatly respected and we all feel a sense of loss. Through the hard work and sacrifices of elders like Johnnie and the elders before him, we have inherited a strong community, our air is clean, our waters are clean, our land and mountains are healthy and the fish and wildlife still come to the lands of the Kwanlin Dun. Our appreciation for his lifelong commitment to being the best of citizens knows no bounds.

Thank you for taking care of our families, friends and communities, Johnnie, and mahsi' cho to the family.

In recognition of Veterans Week

Hon. Mr. Fentie: I rise today to pay tribute to the men and women of the Canadian Armed Forces who have served, fought and died for our country. Each year, from November 5 to 11, Canadians join together to celebrate Veterans Week. This year we are asked to take pause and to consider the question, "How will you remember?"

Many of us will wear poppies as a reminder. We pause for two minutes of silence and attend Remembrance Day ceremonies in memories of our loved ones. As we pause and bow our heads, we also remember all the brave men and women who courageously volunteered for the cause of freedom and peace. For a brief moment of our life, we stop what we are doing and we remember why we must work for peace and honour our veterans. Today, many Canadian Forces members are returning home from missions around the world, and we recognize their commitment and their sacrifice. Along with past generations of veterans, these brave men and women have made many sacrifices in the name of the peace and freedom we so cherish. Their sacrifice is real and we will never forget.

The poppy campaign that is now underway supports Yukon's Legion and our veterans, and all donations go to support programs and services for veterans and their families. The poppy is a powerful symbol; it visually unites us as a nation. Yukoners, Canadians, and people across the globe wear the poppy as a symbol of sacrifice and valour. The poppy can also be recognized year-round on Yukon's veterans' licence plates, issued by motor vehicles branches across the country. We started issuing veteran plates in Yukon in November 2004 to honour service and sacrifice and today, nearly 250 have been issued.

I want to take this moment to acknowledge a Yukon veteran, Mr. Wayne Wannamaker, as he was the driving force

behind this initiative. We are proud that we have a very special honour for our veterans. I encourage you to take notice the next time you see one of these plates and take pause to remember.

So today, together in this Legislature, it is important to acknowledge and show respect for the memories of our Canadian veterans and, most important, we must never forget. This Veterans Week, how will you remember?

Mr. Inverarity: I rise today also on behalf of the Official Opposition and the Third Party to pay tribute to Yukon veterans, and to all veterans during Veterans Week — this week — November 5 to 11.

During Veterans Week we pause to remember and honour those who have served our country as well as those who serve in uniform today. The year 2010 marks the 100th anniversary of the Royal Canadian Navy and the 90th anniversary of the end of the First World War, "the war to end all wars".

During the First World War, more than 650,000 Canadians and Newfoundlanders served overseas. Our servicemen and women served with considerable cost to human life, with more than 170,000 injured and more than 68,000 deaths. On February 18, 2010, John (Jack) Babcock, Canada's last known surviving veteran of the First World War passed away, marking an end to an era in Canada's military history. This year also marked the 65th anniversary of the end of the Second World War, including the liberation of the Netherlands, in which the First Canadian Army played a major role.

More than 6,700 Canadians gave their lives for freedom in the Netherlands. In August of 1945, we also saw the end of the war in the Pacific, also known as VJ Day.

Young men and women sacrificed all they knew — the comforts, love and safety of home — in order to defend the rights and freedoms of others. Some returned with permanent physical disability and emotional scars, others never returned. Veterans and their families know the price that they have paid for freedom.

The Veterans Week theme this year is, "How will you remember?" We as Canadians recognize the commitment made by our servicemen and women and by their families. We must encourage all Canadians to learn more about the sacrifices and achievements made by Canada's veterans during times of war or conflict and in peace. It is our duty to keep the memories of our Canadian veterans alive. We have been passed the torch of remembrance to ensure that the memory of their efforts and their sacrifices will not die with them. We must vow never to forget.

Generations of Canadian veterans, through their courage, determination and sacrifice, have helped ensure that we live in a free and peaceful country. We have opportunities and freedoms that we often take for granted. Our veterans have left a legacy of service, courage and dedication. We must show our appreciation and uphold the principles of peace and freedom for which they have fought.

As the 11th hour of the 11th day of the 11th month approaches, we stand in remembrance of these men and women. We honour their memory and give them the recognition that

they so rightly deserve and we will never forget the cost of the freedoms we enjoy.

We take this opportunity to give a heartfelt thank you to all of those who have served and are now serving in our armed forces. We offer our respect and appreciation to all veterans, not only this week, but each and every day of our lives. Lest we forget.

Mr. Cathers: I rise today to join my colleagues in paying tribute to Veterans Week and the Poppy Campaign. Veterans Week reminds us of something we should remember every day — how much we owe to Canadians who served in the armed forces and those serving today. The freedoms we have and the peace and security we enjoy in Canada did not come without a price. It is because of those who put themselves in harm's way and, in some cases, paid the ultimate price, that we have the freedoms we enjoy.

We should take the time, not just in November, but year-round to honour and to thank veterans who fought in wars for us and those who preserve the peace and stood ready.

I rise today to join my colleagues in honouring those who served, fought and died, as well as those who protect us today. As citizens and as MLAs, we should remember that even today, Canadians are standing in harm's way in service of their country.

November and Veterans Week is a special time to remember and to honour our veterans, but each and every day, we must never forget. I encourage everyone to attend Remembrance Day ceremonies, and again, my personal thanks to everyone who has served in the Canadian Armed Forces and those serving today.

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

INTRODUCTION OF VISITORS

Mr. Cardiff: I'd like to ask all members to join me in welcoming the family of Johnnie Smith — his wife Annie Smith, his eight daughters, Judy Gingell, Shirley Smith, Lesley Smith, Edith Baker, Dianne Smith, Betsy Smith, Kathy and Rosemarie, his son John, his granddaughter and grandson. As well, joining us in the Legislature today is the Chief of Kwanlin Dun, Mike Smith, and the principal of Elijah Smith Elementary School, John Wright, and two students, and family friend Sheila Brown. Please join me in welcoming them.

Applause

Hon. Mr. Edzerza: I would also like to have members of the Assembly help me welcome my daughter Debbie who is in the gallery and is a school teacher at Elijah Smith Elementary School. Welcome.

Applause

Speaker: Are there any further introductions of visitors?

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Hart: I have for tabling the 2009-10 statement of revenue and expenditures for the health care insurance programs.

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

Are there any reports of committees?

REPORTS OF COMMITTEES

Hon. Ms. Taylor: I have for tabling the 16th Report of the Standing Committee on Appointments to Major Government Boards and Committees.

Speaker: Are there any further reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

Hon. Mr. Fentie: I give notice of the following motion:

THAT the following address be presented to the Commissioner of Yukon:

MAY IT PLEASE THE COMMISSIONER:

WHEREAS section 35 of the *Ombudsman Act* states:

35(1) Subject of subsection (2), this act shall continue in force for a period of five years from the day on which it came into force, and no longer.

(2) If at any time while this act is in force an address is presented to the Commissioner by the Legislative Assembly praying that this act should be continued in force for a further period, not in any case exceeding five years, from the time at which it would otherwise expire and the Commissioner in Executive Council so orders, this act shall continue in force for that further period.

AND WHEREAS the *Ombudsman Act* came into force on July 1, 1996, and pursuant to Order-in-Council 2001/04, was continued in force from July 1, 2001 to June 30, 2006; pursuant to Order-in-Council 2006/27 was continued in force from July 1, 2006 to June 30, 2011;

AND WHEREAS the Members of the Yukon Legislative Assembly believe it to be in the public interest to take action in a timely way, respecting the continuance of the *Ombudsman Act*;

NOW THEREFORE this Legislative Assembly prays that the *Ombudsman Act* should continue in force for a further period, being from July 1, 2011 to June 30, 2013.

Hon. Ms. Horne: I give notice of the following motion:

THAT the Yukon Legislative Assembly, pursuant to section 17(1) of the *Human Rights Act*, does appoint Fia Jampolsky and Juanita Wood as members of the Yukon Human Rights Commission for a term of three years effective December 10, 2010.

I give notice of the following motion:

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, does appoint Joie Quarton as chief adjudicator to the panel of adjudicators for a term of three years effective December 10, 2010.

I give notice of the following motion:

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, does appoint Kim Cholette as a member of the panel of adjudicators for a term of three years effective December 10, 2010.

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

THAT this House urges Public Safety Canada to work with the Attorney General of the United States through Canada-U.S. Border Security to enable the Gwich'in in Alaska and Yukon to reinstate their time-honoured subsistence practice of exchanging caribou meat.

Hon. Ms. Horne: Mr. Speaker, I give notice of the following motion:

THAT this House supports the Government of Canada's introduction of the *Protecting Children from Sexual Predators Act*, which would help protect children from adult sexual predators by establishing mandatory prison sentences for seven existing Criminal Code offences such as luring a child, sexual assault and aggravated assault, as well as creating two new offences related to facilitating a sexual offence against a child and using telecommunications, including the Internet, to communicate with another person to agree to make arrangements to commit a sexual offence against a child.

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

THAT this House urges the Government of Yukon to encourage the National Energy Board and oil companies who are interested in drilling in the Beaufort Sea, to conduct public meetings as soon as possible in Whitehorse and other Yukon communities to ensure Yukoners have the opportunity to submit their testimony and receive information on offshore oil and gas exploration and development.

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

THAT this House urges the Yukon government to ensure the 2011-12 budget includes funding to finish chipsealing the Old Alaska Highway.

I also give notice of the following motion:

THAT this House urges the Yukon government to ensure the 2011-12 budget includes funding to make improvements to Takhini River Road, including fixing the dangerous hill west of river-level properties.

Speaker: Are there any further notices of motion?
Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Fiscal management

Mr. Mitchell: The Premier says he is a good fiscal manager, but the numbers say differently. He says he has improved Yukon's financial position, but it's hard to tell how. When we asked the Premier about how much new debt he's running up, he referred us to the public accounts. Apparently the Minister of Finance doesn't understand that the debt we are citing doesn't even appear in last year's public accounts. Only \$4.2 million of it was spent last year. In less than two years, this government has spent down 80 percent of the savings account. It has delivered two deficit budgets in a row. It has saddled future generations of Yukoners with hundreds of millions of dollars in debt.

It has been cited by the Auditor General of Canada for improperly investing \$36 million in ABCP. Other than the fact that there is an election coming soon, can the Premier explain his decision to blow the budget?

Hon. Mr. Fentie: The Liberal leader actually did take the time to at least give a cursory view of the public accounts recently tabled; however, he didn't read *Hansard*. If he had, he would clearly have understood what the answer was yesterday in Question Period in terms of his question.

The Liberal leader is suggesting there is some incorrectness in the statements by the Yukon Party government that we've improved the financial position of the Yukon. I challenge the Liberal leader then to explain to Yukoners how doubling the fiscal capacity of the Yukon Territory is not an improvement of the financial position of the Yukon.

Mr. Mitchell: The Premier likes to compare the Yukon to other jurisdictions when he tries to convince the public that he is a good fiscal manager. What he should be comparing it to is the Yukon before he racked up the credit card and ran multiple deficits. That would be a valid comparison.

Let's look again at how the Premier has changed Yukon's financial outlook. He has made deficit spending the new norm. He has racked up hundreds of millions of dollars of debt in the blink of an eye. He spent down the savings account to \$33 million — one-fifth of what it was only two years ago. That's what this Premier has done for the Yukon's financial position, and it's a trajectory that has to stop.

How can the Premier justify his reckless-spending deficits and debt?

Hon. Mr. Fentie: Mr. Speaker, the first point to be made is, this government is not paying overdraft service charges for employee wages and programs and service delivery to Yukoners. We did create a savings account. That's a far cry from what the Liberals created for this territory fiscally.

Secondly, the Liberal leader continues to refer to mortgaging the future. I refer the member to the public accounts once again that clearly state that we have a net financial resource position. That means we have the financial assets that are available to finance future operations. Let me repeat that for the member opposite: we have the financial assets available to finance future operations. Those jurisdictions — considering

comparisons — that are in a net-debt position, do not have the financial assets available to finance future operations.

In fact, in many cases, they are having to calculate future revenues to deal with the expenses of today — similar to what the Liberals were doing when it came to wages, programs and services for Yukoners.

Mr. Mitchell: Well, let's get the facts out on the floor of this House. Let's look at the legacy this Premier is leaving Yukoners. It is reckless-spending deficits and debt and soon we won't have the financial resources to pay for it if he keeps going at this rate. There's the \$100 million borrowed through the Yukon Development Corporation — no cash into those projects, Mr. Speaker. The Premier has put it all on the credit card. There's \$25 million for the Dawson hospital and another \$25 million for the Watson Lake hospital with no plan for how to handle the O&M and staffing once they're built. There's another \$17 million for the medical residence in Whitehorse and, we have been told we'll need to borrow another \$50 million for emergency room upgrades. Why did the Premier run up this debt without asking Yukoners whether they support this \$200-million financing approach?

Hon. Mr. Fentie: You know, it is really interesting how the Liberal leader professes to be a financial manager and he can't even understand what investments are all about and what actual financial positions are all about and why investments, such as hospitals and health care, are so important in that regard.

Now we know the Liberal leader would never have built a hospital in Dawson City; we know the Liberal leader would never have built a hospital in Watson Lake; we know the Liberal leader would never, ever have invested in the revitalization of the downtown core, because they opposed those investments — their voting record shows that. We know the Liberal leader would never have invested in more infrastructure and assets for our public utility — the Energy Corporation. They opposed that too. Their voting record says that. The one thing that can provide a shred of credibility for the Liberal leader is for him to stand up and tell Yukoners what he would cut.

Question re: WCB overdraft charges

Mr. Fairclough: Mr. Speaker, I have a question for the minister responsible for WCB. According to the latest annual report of the Workers' Compensation Health and Safety Board, the corporation was forced to pay overdraft charges in 2009 because it didn't have enough money to cover operating expenses.

The annual report says, and I quote: "The board has access to the Government of Yukon's overall line of credit facility with its banker. This access provides the board with overdraft coverage when needed. In 2009, the Fund paid \$16,598 of interest on the overdraft."

Why was the board paying overdraft charges?

Hon. Mr. Hart: The operations of the day-to-day facility are handled and operated by the CEO responsible for the Workers' Compensation Health and Safety Board and it is also administrated through that board of directors.

Mr. Fairclough: The minister is also responsible for WCB. Otherwise why would he be the minister here? He should be able to answer the question.

This Yukon Party government has been very critical of previous governments that have paid overdraft charges and now it's doing the same thing. Last year, according to WCB's annual report, they paid almost \$17,000 in overdraft charges. Isn't that interesting? The Premier has been very critical of previous governments, but hasn't said a word about his former campaign manager handling the books of WCB.

The corporation used the Government of Yukon's line of credit and it had to pay \$17,000 in interest when it went into overdraft in 2009. Why did WCB pay overdraft charges in 2009, and will it be paying overdraft charges this year as well?

Hon. Mr. Hart: I appreciate his questions coming forth, but I'll reiterate what I said previously. This is a decision made by the board. It's also a decision that's made on behalf of the employers of the Workers' Compensation Health and Safety Board. That is who is responsible for the workers' compensation.

Mr. Fairclough: The minister seems to be running and hiding. He is responsible for Workers' Compensation Health and Safety Board. Why isn't the interest there when it comes to overdraft charges such as this?

The corporation is well-funded — we know that. We were told that, and we are reminded about that every time we ask questions about Workers' Compensation Health and Safety Board. Yet we now learn that the corporation paid almost \$17,000 in overdraft charges last year, and we want to know why. The minister should be able to answer that question.

This money could have been used to help injured workers; instead, it was given to the bank. We also want to know if the overdraft charges are being paid in 2010. Why is WCB put in a position where it has been forced to pay overdraft charges? Is it because they don't have the money? The minister should answer the question.

Hon. Mr. Hart: The board of directors, as well as the CEO of Workers' Compensation Health and Safety Board, is responsible for the day-to-day operations of the Workers' Compensation Health and Safety Board. On the specifics of the operation of that board, we'll be bringing the corporation into the Legislative Assembly, and he can ask that question directly.

Question re: Lobbying legislation

Mr. Cardiff: Mr. Speaker, the Premier still seems a little somewhat confused about the need for lobbying legislation in the Yukon. The people have a right to know who's trying to influence their elected officials and bureaucrats in setting their government's policy priorities.

Professional lobbying in Canada is a \$100-million-a-year industry, and to deny lobbying is happening here, or that there is no need to regulate it, flies in the face of common sense and good governance. Any jurisdiction without clear rules around lobbying and lobbyists is not acting in the best interests of its citizens.

Will the Premier tell us why he is so resistant to having lobbying rules here in the Yukon?

Hon. Mr. Fentie: I don't know where the member from the Third Party comes up with this so-called "resistance" to it. I think we have been fairly clear in the Legislature. We don't dispute the fact that these are areas that, certainly in many cases, have become problematic with other governments. What I did say to the member opposite is that I have no knowledge and this government has no knowledge of paid lobbyists influencing policy. That's not happening in today's Yukon.

I also pointed out to the member of the Third Party that we meet continually with corporations, with Yukoners and with NGOs. In some cases, they bring forward proposals.

Is the member suggesting that a NGO like Kaushee's Place that brings forward a proposal is a paid lobbyist and influencing policy? Does the member suggest that when we make investments in areas of social need, such as substance abuse action — because proposals come forward from individuals and NGOs in our territory — is that paid lobbying? Is that influencing policy? When we make investments in hydro-infrastructure by presentations from our Energy Corporation, is that paid lobbying and influencing policy?

Mr. Cardiff: Well, the Premier obviously doesn't understand it. Whether lobbying is done by the private sector or the non-profit sector, all meetings and correspondence with politicians and their senior officials should be tracked and publicly disclosed. The public needs to know that any contact between paid lobbyists and the government is conducted in accordance with current public expectations of transparency, integrity and honesty. Thanks to federal lobbying legislation, we know that the Prime Minister and his ministers met with registered lobbyists almost 600 times this year. We know that Government House Leader John Baird met with Suncor Energy on June 26, Union Gas on June 3 and SNC-Lavalin on April 28. I'll file copies of *The Hill Times* where the Premier can find that out.

Unfortunately, we don't know, because there is no corresponding Yukon legislation, who is trying to influence decisions of the Yukon government. So in the spirit of transparency and openness, will the Premier table a list of individuals and groups —

Speaker: Thank you.

Hon. Mr. Fentie: The government side does not dispute the fact that this is an area that requires scrutiny. We never said that. What we take offence to is the inference that, in some cases, we would be influenced by those who are being paid as lobbyists — in policy-making or any other decision. That's an inference of wrongdoing. The government side was trying to be cooperative in responding to this question by trying to point out to the member opposite that we don't take issue with his views and opinion, but the inference of matters such as lobbyists that could lead to wrongdoing is a problem.

If the member is so keen on Yukon having legislation, then why doesn't the member go out publicly and inform the Yukon public that the NDP would certainly bring forward an act or a regulatory process that would govern all meetings. What this government has done in the context of scrutiny and openness and accountability is dramatically enhance the *Access to Information and Protection of Privacy Act*, and that's a lot more

than we have ever gotten out of past governments of the NDP or the Liberals.

Mr. Cardiff: There are no inferences; I am not accusing the government of doing anything wrong or illegal. What I am saying is that there is a need for this legislation. Groups like Democracy Watch are calling for even tougher federal lobbying legislation to put an end to backroom deals and to bring lobbyists out from the shadows and into the open. I'll file a copy of that report as well. Among other things, it wants lobbyists to disclose past or current work with governments, political parties or candidates for public office. It wants lobbyists to disclose how much they and their clients are spending on their campaigns and it wants them prohibited from doing work with government departments that they are lobbying. Ontario, Quebec, Nova Scotia and British Columbia all have lobbying legislation, while the Yukon has none. Why does this government refuse to bring forward lobbying legislation? What is it trying to hide?

Hon. Mr. Fentie: The first part of the member's question was really quite constructive and relevant and, by the way, the government hasn't refused at any occasion or at any time to bring forward legislation.

But the suggestion that the government is trying to hide something is an inference and as far as I'm concerned, Mr. Speaker, the member opposite is the one confused. This territory has conflict-of-interest legislation. This territory has very modern access to information legislation. This territory is a small jurisdiction where contact with Yukoners, Yukon businesses, NGOs, First Nations and others happens on a daily basis. I'm looking forward to hearing suggestions from the member opposite of what so-called "lobbyist legislation" or "regulatory processes" would look like in the Yukon. I have no interest in hearing from him that the government is trying to hide something; that's just nonsense.

Question re: Arctic drilling

Mr. Elias: Yesterday I informed this government that Imperial Oil and British Petroleum would not be coming to the Yukon as part of their northern consultation tour. It seems Yukoners will not get a say in any potential drilling activity that takes place off Yukon's north shore. Seven months ago, the world witnessed a catastrophic oil disaster in the Gulf of Mexico. The world is still dealing with the ramifications of this tragedy. If a disaster like this were to occur in the Arctic, it would cause devastation on a level never before seen.

There are public consultations being carried out on both sides of Yukon's borders about the activity that will be affecting the Beaufort Sea. What happens in the Beaufort Sea affects all of the Arctic, Mr. Speaker, not just part of it.

Is the Environment minister even aware that oil companies intend to commence oil exploration off our northern tidewaters?

Hon. Mr. Rouble: As I stated to the Assembly and to all members yesterday, the Government of Yukon, through the Department of Energy, Mines and Resources, works very closely with the federal government. In fact, there has been an MOU established to ensure that Yukon is involved in offshore drilling, that we have a voice in this process and also, if there

are any tangible benefits from responsible development, that of course Yukon will be involved in that process too.

The world did look at the tragedy that happened in the Gulf of Mexico. The world has responded. Not only has the American government looked at much stricter and stronger regulatory requirements, but so has the Canadian government — which, I might add, has a different regulatory regime to begin with. We shouldn't just assume that the same regulations that are in place in America are in place in Canada. Canada has a different structure; our federal government has looked at this and NRCan has looked at this. There was a recent Senate committee on this, and we will continue as a responsible order of government in Canada's north to be involved in this process and to protect the interest of Yukoners.

Mr. Elias: Mr. Speaker, what I'm concerned about here is that individual Yukoners won't have the opportunity to have a face-to-face conversation and submit their testimony to big oil companies and to the National Energy Board. Furthermore, these two oil companies have more disposable money than the Government of Canada. That's why I'm worried.

In the last sitting when I asked this Yukon Party government about oil exploration in the Beaufort Sea, the Environment minister remained silent. Six months later, he still has very little to say. I commend the good work of the Environment Yukon employees on the issue, but I wanted to know is what the Environment minister is doing specifically on this issue. Has the Environment minister contacted big oil companies and the National Energy Board to set up public consultations on this issue, and, if so, what kind of progress has he made?

Hon. Mr. Edzerza: Mr. Speaker, Environment Yukon provides review and analysis of potential environmental impacts of the Beaufort Sea initiatives. Environment remains committed to an active role in offshore oil and gas management, consistent with the *Inuvialuit Final Agreement* of Canada in 1984 and its goals to protect and preserve the Arctic wildlife environment and biological productivity.

The Department of Environment is actively involved in monitoring what's happening in the Beaufort Sea area.

Question re: Energy drinks

Mr. Elias: Yesterday I asked for this government to take a stand for the health of our children by implementing meaningful legislation on energy drinks, and it refused. This Yukon Party government chose to trivialize yesterday's debate. The Justice minister said, and I quote: "Are we going to tell people that they can't have a coffee because they are 16 or 17 years old? I think not." She also said, "...anything used to excess is dangerous. Water, for example — if you over-drink water you can potentially die."

What we're talking about here are energy drinks, which have 10 times as much caffeine as coffee — and we weren't talking about water. Yesterday was a demonstration of how little this government respects the political processes and ability to provide the bold leadership necessary to address the health of our children.

Why did the minister not take this issue seriously?

Hon. Mr. Hart: I thank the member opposite for his question. If the member opposite recalls, we also supported the intent of the member opposite's motion.

We provided several examples of the situation that we are dealing with here in the Yukon. Examples of how we could address the energy issue in our schools were provided by the Minister of Education. We also indicated how solutions could be provided in conjunction with Health and Social Services as well as Education to address and inform the public and the students with regard to energy drinks.

Mr. Elias: The amendment put on the floor yesterday in my opinion was redundant, baseless and weak, to say the least. Across the world — based on the research that I've done — France, Australia, Germany, the United Arab Emirates, the State of Florida, our provinces of Ontario and Prince Edward Island all made the same mistake. They waited for one of their citizens to collapse and die or have a seizure or some kind of a heart episode before they actually looked toward legislation to address the serious health issue to youth. I don't want that situation to happen in our territory. They trivialized yesterday's debate. That's why I'm upset here. This is a concern to Yukoners, and when the Justice Minister says, "Let's not be hasty on this subject", and the rest of her colleagues agree, what are they waiting for? I challenge the Yukon Party caucus —

Speaker: Thank you. You're done.

Hon. Mr. Rouble: Yesterday we put forward some very constructive ideas. We put forward some comments on the record as to how this matter was being addressed. We put forward the processes and policies that are in place in Yukon schools where these drinks are not made available. We also talked about what Health Yukon is doing with Health Canada. We also talked about legislation and, over here, we certainly agreed that there are other ways to effect positive change in our community without creating new laws. We put forward some support for the issue raised by the Member for Vuntut Gwitchin; we certainly didn't disagree with him. We put forward positive and constructive ways of addressing the situation and it's unfortunate that he has chosen to interpret this in the manner that he has.

Mr. Elias: The eloquent soliloquy just given by the Minister of Education seemed to lack the master virtue of wisdom. Yukon youth under the age of 18 are consuming these energy drinks and there are no scientific facts that say they are safe for children to consume. I can't find them anywhere. Health Canada even suggests that the amounts in these energy drinks are dangerous. It says "for adults only".

I wanted to take the cautious approach. I wanted to ensure that these Yukon children playing sports out on the streets or wherever don't have access to these drinks. They're dangerous. I don't want to deal with the situation that they're dealing with in Ontario where families have to go to Parliament and submit their testimony because they feel their kids died because of consuming these energy drinks. It has no place in this territory. I challenge the Yukon Party caucus to canvass Yukoners about this issue. Will they do it?

Hon. Mr. Hart: I think my colleague, the Minister of Education, and I have provided some very good information

with regard to this issue. We have provided some solutions on how we can deal with this situation. The member opposite talks about these other jurisdictions in Canada and the rest of the world, but nobody has actually implemented a ban. As I stated yesterday, Mr. Speaker, I'm no doctor and neither is the member opposite. We'll take over the deal and we'll work with other jurisdictions and Health Canada to ensure that when we have the information that's available to us from the research of the monitoring that has already been identified, as well — as the member opposite indicated about P.E.I. — they're looking at the situation in P.E.I.

We will look at that situation and go forward, but we will do so when we have the information, so we can deal with the situation and make sure that, when and if an energy drink is dangerous to somebody, we can enforce it. We will do so and we will do so in conjunction with the other jurisdictions to ensure the safety of energy drinks for children under 18.

Question re: Orders of the Day, November 3, 2010

Mr. McRobb: It's time to question this government on its father-knows-best approach to yesterday afternoon's debate in this Legislature. In the first instance, the Third Party brought forward a private member's bill to amend the territory's *Elections Act* that would prevent future governments from stalling a by-election and help to ensure that all constituencies are democratically represented in this Assembly when it sits. This was the latest constructive initiative brought forward by the opposition, only to be deep-sixed by this Yukon Party government, just like the *Yukon Energy Corporation Protection Act*, the net metering bill and the *Apology Act*, to name a few.

Closing debate isn't democratic. Why did this government again use its majority to shut down debate without hearing from the other members of this Assembly?

Hon. Mr. Fentie: Of course, we always want to hear from the other members of the Assembly, especially the Member for Kluane who gives us great insight into what the Liberal Party would actually be like in government. So, yes, we always want to hear from the Liberals. As far as yesterday, the government did the appropriate thing. We're talking about democracy. Is it sufficient that we in this House, through just one debate on an amendment, amend the most important, fundamental mechanism of our democracy — the *Elections Act* — or should we go through the due process that the government offered? So what we did is adjourn debate so that the issue is alive and we can do the appropriate work, given the importance of elections, given the importance of our *Elections Act* and given the importance of the process that we follow. It's not unreasonable to consider this fact. This Assembly, on many occasions, accepting reports from the chief electoral officer, has made amendments to strengthen our *Elections Act* and our election system.

Mr. McRobb: In the second instance yesterday afternoon, the Member for Vuntut Gwitchin brought forward a constructive motion to limit the availability of energy drinks or chemical cocktails to our children. So what did this government do? All members of the Yukon Party again used their majority in this House to neutralize this initiative. They were content to simply defend the status quo. What a shame.

This government is not open to change, nor is it willing to take on new initiatives to improve the lives of Yukoners. In the process, it too frequently attacks those who dare to propose constructive change. This isn't democracy, Mr. Speaker; such acts are best perceived as the antithesis of democracy.

If the Premier is truly the staunch supporter of democracy that he claims to be, why this "my-way-or-the-highway" approach?

Hon. Mr. Fentie: In the first instance, it's not "my way or the highway" at all; it is the democratic process we must follow.

The member's suggestions that we again denied democracy on the Member for Vuntut Gwitchin's motion on energy drinks flies in the face of the evidence. The government side debated with the members opposite and presented constructive amendment to the motion.

The ministers have already responded in Question Period on what is going on out there across the nation, so for the member to suggest that that somehow compromises democracy in the Yukon is frankly laughable, when you consider that the Member for Kluane accuses chairs of boards like the hospital board of things like cronyism; Googles government employees who voice their opinion through their rights of democratic freedom of speech — is that democracy? That's why we're interested to hear from the Liberals on every occasion that we can.

Mr. McRobb: It's time to diagnose this Yukon Party government; let's examine some of the symptoms: it's no longer willing to work with the opposition parties on their constructive initiatives; it's no longer prepared to do the hard work of government on behalf of the people; it's content to resist change and simply defend the status quo; it uses its majority to prevent others from being heard; it's closed, evasive and avoids being held accountable to the public; it's locked in hard denial; it's in bunker mode; and it attacks the messenger instead of listening to the message.

The diagnosis is this government is tired, angry and burned out. When will this Premier finally fill the prescription and call an election?

Hon. Mr. Fentie: Well, Mr. Speaker, there is an old adage, "empty barrels make the most noise." I'll leave that for the members of the House to draw their own conclusions. The member says we don't work with the opposition. Well, let's talk about the smoking ban legislation; let's talk about the *Substance Abuse Action Plan*; let's talk about safer communities and neighbourhoods legislation; let's talk about Habitat for Humanity; let's talk about the largest number of unanimously supported numbers in the history of any government in this House that I know of.

I know the member is trying to make some sort of point, but it's simply lost on the public for sure, because none of the evidence that the member alludes to even reflects the fact that this government doesn't work with the opposition benches; it actually proves that we do, Mr. Speaker.

So, once again for the Member for Kluane, we enjoy the member's questions and statements, because they clearly demonstrate what a Liberal government would truly be like. They

would take this territory backward faster than you can get a Tim Hortons cup of coffee.

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

ORDERS OF THE DAY

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): Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 22, *Second Appropriation Act, 2010-11*. We will continue with general debate on Vote 51, Department of Community Services.

Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 22 — *Second Appropriation Act, 2010-11* — continued

Chair: The matter before the Committee is Bill No. 22, *Second Appropriation Act, 2010-11*. We will now continue with general debate on Vote 51, Department of Community Services.

Department of Community Services — *continued*

Hon. Mr. Lang: When we adjourned debate the other day in the House here, we did an extensive overview of the jump-starting of the new driver's licence and answered many questions about how it was rolling out and of course the process and how it was being handled, understanding it's a secure driver's licence. In reporting the numbers, the numbers of people applying now have grown from what it was when we started. There is an uptake on renewing their licence, so that's good news.

One of the more important things we've done this year came out of the department with the municipalities — the Association of Yukon Communities. I made a commitment through the department that we would go to work and we would work with the municipalities on an overview of the new five-year agreement between ourselves and the municipalities.

It has been jump-started. We have representation from the municipalities and, of course, from the government itself. I

went to a workshop here last Friday or a week ago Friday that was very well-attended by all municipalities from around the territory. I certainly look forward to the work that they're all doing on behalf of their citizens in the municipalities and also the territorial government.

We're only as successful as our municipalities are, Mr. Chair. It's very important that our municipalities are successful because, in turn, it makes our job easier here in the government. Certainly there were some questions about how the individuals or how the general public would be involved in this debate that will be carried on here starting this month. The program or the project has been named "Our Towns, Our Future". It's supporting municipalities' success from finance to operations. So as you see, Mr. Chair, it covers the whole gamut. We tend to look at the financial part of our contribution to our municipalities and, of course, they look at it from the point of view of the necessity of operating their municipalities. Certainly, it's very, very important.

But also, how could we improve the operations of our community? I see in front of me a poster that has been sent out that reads: "We want to hear from you. Tell us what municipal services are important to you. Here are the challenges facing municipal governments. Help find cost effective ways to support vibrant, healthy, and sustainable communities." Those are discussion points that the group, not the department — the partnership is going out into our communities and, of course, it says, "Join us and shape the Our Towns, Our Future review."

It starts in Haines Junction tonight — no, it started at noon today, November 5, 12:00 to 1:30 p.m. at St. Elias Convention Centre. There's a lunch involved, so people can stop off and have discussions and, certainly, lunch was provided; November 8, Watson Lake public meeting, 7:00 to 9:00 p.m., Watson Lake Recreational Centre and refreshments will be offered there; Teslin is going to be addressed on November 9, 7:30 to 9:00 p.m., Teslin Recreational Complex and, of course, refreshments will be served there too; Carmacks, November 16, 12:00 noon to 1:30 p.m. at Carmacks Recreational Centre and there will be a free lunch involved in that. So there will be time for people in Carmacks to come, be involved and discuss what they visualize their municipality's strengths and weaknesses to be and also have lunch at the same time.

We'll be in Faro on November 17, 12:00 to 1:30 p.m. in the Sportsman's Lounge and, again, another free lunch because of the timing; Mayo on November 26 from 12:00 to 1:30 p.m. at the curling club lounge and that again involves a lunch so people won't have to go without lunch to come to our meetings; Dawson City, November 30, 12:00 to 1:30 p.m. at the Odd Fellows Hall — again, a free lunch; and Whitehorse will be on December 6, 7:00 to 9:00 p.m. That's going to be held here at the Whitehorse Public Library, and there will be refreshments offered at that time.

So, as you see, there will be room for participation of the general public. Also, we have contacted First Nation governments and encouraged them to also get involved when we're in their communities to make sure they are kept in the loop of what we're doing as municipal governments in partnership with the territorial government. Certainly, that's good news for the

municipalities. I was very impressed with the input we got a week ago Friday at the workshop. It was certainly rewarding to see the individual municipalities participating in the workshop.

We look forward to the group bringing their recommendations back to the government on how we can make municipalities stronger and more modern and how we can improve on the operations of our communities.

I look forward to any questions I get on that. It's a good-news story, and I look forward to the debate we can have this afternoon.

One of the bigger things we've done is to look at the Whitehorse and Carcross waterfront projects. By driving down, you can see the investment this government has put on the ground there. It's quite an investment for both communities. I recommend people go down to Carcross and look at the investment the government has put on the ground there. It's quite impressive. The Carcross boat launch has been completed; the visitor base infrastructure phase 2 — those are the power upgrades. This is in Carcross. The Carcross carving facility is up and running. I was in there, and I recommend Yukoners go down and look at what's being produced in that carving facility.

It is absolutely — they do a great job. The pedestrian bridge was one of our biggest investments. That was over \$2 million. The Bennett viewing deck, which is quite impressive, has been completed. Now the phase 2 is a \$3.2-million investment that includes the *SS Tutshi* memorial. That's a \$600,000 commitment again; a very impressive thing to see. They've done a stellar job on that, Mr. Chair.

The gateway pavilion and visitors washrooms will be done in 2010 in December. The base infrastructure downtown roadwork is a large investment of \$1.8 million. Construction will be done in the summer of 2010 and the summer of 2011, so we're roughly halfway through that investment. Landscaping, of course, is going to be completed in 2012, and that certainly will add to the aesthetics of the community.

In Whitehorse, the waterfront is an \$18.45-million investment and that in itself is investment in the roundhouse train shed renovations, the wharf parking lot trail development, Shipyards heritage buildings, Ogilvie and Strickland landscaping transmission line relocation, parking at the KDFN site, Kishwoot Island bridge demolition, Shipyards concession building, First Avenue reconstruction, trail reconstruction, bridge lighting, YESAA assessment, and the Old Fire Hall additions.

So those are all investments that this government has put on the ground and certainly we see it today as we drive by the community.

The wharf contract will be let this month. The wharf contract will close in November and it will be tendered in the middle of December. So that again will be a big improvement to the waterfront and we all look forward to that. That will happen next summer. That was an extensive thing, Mr. Chair, because of the permitting process we had to go through to have the wharf put in the river. It's a navigable river which means the obligations of permitting goes — because of its navigable river status, then there's more permitting to be done. I can report the

permitting is almost final on that and I look forward to this being let and, of course, the actual construction starting.

Mr. Fairclough: I asked the minister many questions in regard to the new driver's licence and I appreciate the minister's answers and all the information that has come to me. In the spirit of cooperation, I'd like to turn it over to the Third Party to ask questions. We'll be coming back to the department, asking more questions.

Mr. Cardiff: Yes, I'd like to acknowledge the Official Opposition for allowing me to ask questions at this juncture, as there are other commitments I have today.

I'd like to begin by thanking the officials, both for the briefing that was provided to our staff and for their attendance here in the Legislature on previous days and today to assist in providing answers.

I have to say it's always a pleasure to discuss Community Services. It's an important department that touches on our lives in so many ways. It contains information and budget line items about libraries, community centres, volunteer fire departments, municipal governments, sports and recreation, and on and on and on — employment standards was another important one.

In this sitting, the minister announced the Our Towns, Our Future review, so I would like to turn here first and ask some questions about the review and other matters related to the *Municipal Act*. The minister said there's going to be a public component to the consultation in the review, that they're going to work with municipalities and the general public, that they're going to do the whole review in the next six weeks, and that there's more to it than finances.

It seems to me that addressing the problems and the issues around municipal issues is going to be a little difficult to do in just six weeks. We did find the terms of reference and all the information on the website. After I asked the first question, it was posted on the website. I would like to thank the minister and the officials for ensuring that that happened. The process is that the review committee meets with the mayor, the council, and the CAO and then it meets with the public.

The minister already listed off the schedule of meetings. It seems to me that these are two-hour meetings with the public, mostly scheduled — a lot of them are scheduled around lunchtime. Oftentimes, it's difficult for people to get away from work, depending on which location in the community they're working, so I would question the inclusiveness of this. The shortness of the time frame — the six weeks — and the myriad issues that could come up around the long-term sustainability are a lot to go through in a two-hour meeting and in a six week time frame. The other piece of this is that the steering committee for this review consists only of members of the Association of Yukon Communities and the Yukon government. There is no public involved in the steering committee to guide the process. I know that there are some out there that would like to have more input.

I'm going to put a few questions on record because the minister is known for his long answers. With all the press coverage about the review and the minister's comments, we can imagine a municipality empowered to impose more taxes and increase authority over the variety of day-to-day issues. Own-

source revenues is an important issue for municipalities that needs to be addressed.

While we're addressing all those issues, one thing I brought up with the minister repeatedly is the issue around the *Municipal Act* and the public vote section. The public vote section of the *Municipal Act* was meant to be that counterbalance — the checks and balances — to a municipality's power. The minister at the time — it was the Member for Southern Lakes; I believe it was called Carcross Southern Lakes — said this when he brought the act in, in 1988: "The new *Municipal Act* replaces ministerial control and approvals with a system that empowers voters to provide direction to municipal governments. The provisions for petitioning and public votes put the checks and balances into the hands of the electorate."

The minister's answer on this question is, everybody has a right to go to court. But it's up to the minister to ensure that those checks and balances through petitioning and referenda remain a key piece of local democracy at the municipal level. The intent of the public vote section was to give citizens recourse to decisions that are made by municipalities which were then given more powers at the time of the act. So with the review launched, we seem to be moving in the direction of more powers for municipal government and weakened public vote rules. Again, I would like to ask the minister: what measures to counterbalance the increased focal powers of municipalities does he see?

What is available to Yukon citizens to have input into the decisions that municipalities make — besides going to court at great cost — not only to citizens but to taxpayers?

Hon. Mr. Lang: Thank you to the member opposite — he was questioning the fact that some of these hours that we go to the communities have limitations on their convenience for the general public. But I don't want to lose sight that the municipality is a partner in this too, and the municipality has open meetings themselves. So individuals can go to the municipal meetings and have discussions on this. Also, "Our Towns, Our Future" — the review committee has hired an individual and they have an e-mail, which is otof@government.yk.ca. I encourage anybody who has questions or recommendations to get involved and take advantage of this e-mail. We do have people on the ground working with the review committee to make sure these questions are answered.

I don't want to second-guess what comes out of this. This isn't my job. My job in the government was to lead the debate with our partners, the municipalities, on how we could best approach this and they, in conjunction with ourselves, came up with this idea where we'd put the review together and we would move forward over a year's period and we'd work together and come up with a five-year plan that municipalities could live with, both financially and operationally.

We're sincere about this review. We'll work with whatever comes out of this review within the guidelines of the territorial government, but I do not want to second-guess what will come out of it, nor am I going to recommend to the review what I feel or what this government feels should be done.

We have people on the review representing the Yukon government. We have people from the municipalities representing them. We are going out for general consultation, which you can see by the advertising that has been sent out into our communities. We're making every effort; some can't come out at lunch and vice versa in our communities.

What's the answer to that Mr. Chair? The answer is to get involved with your municipal government, get involved with the e-mail address I just gave to the House here this afternoon, and get involved. There is no more open government than municipal government; they have meetings every month, they have open meetings, people have dialogue, and if they have concerns, they take it to their elected members and they will be brought forward.

We had a workshop with the municipalities here two weeks ago; there are going to be more workshops. When we go to the communities and if they ask us to come back, in other words if the municipal government wants to have more dialogue, we're open to that kind of arrangement. It's timely: we're the first government in many, many years to put the whole thing on the table. We're committed as a government — the first government, by the way, in many, many years that has been brave enough to put this thing in front of the municipalities and say, "Go at it, boys, and bring back some recommendations." We have done that. I'm not going to second-guess what comes out of it because I'm going to work with the recommendations from that review committee.

I trust those individuals, whether they're from the territorial government side or the municipal side, to come back with recommendations that we can all live with. But I sincerely say to the House here today: without strong finances and without well-managed municipalities, our communities cannot sustain themselves. I know that and you just have to be involved in municipal government to know that too. So I know that — and I'm not going to second-guess and I'm not going to override the review committee and be the senior government — I'm not going to do that, if that's what the member opposite is recommending I do; I'm not going to do that. I'm waiting anxiously for the good work to be done, brought back to the government and to act on it.

You just have to look back on the commitment. The process was announced last spring. We have a one-year process here. The committee meets regularly; the committee is to report findings this coming May. So it is a process.

The process has been laid out — mapped out by the review committee, blessed by the municipalities, blessed by the territorial government on how the process is going, and I certainly look forward to May to receive the recommendations that are going to come back. This government is serious in working with our municipalities to strengthen them. The member opposite tends to think the senior government should be the overriding government. We're in partnership with the municipalities. The municipalities in the territory are very, very important for the well-being of the territory. They do a stellar job in their communities. Some communities are smaller than others. Some are bigger than others. But they all have common issues, and

by getting all of them in together in these meetings — I'm amazed at the common issues they have.

By the way, it's not all about resources. It's all about: how do we better manage our money? How could we make our communities more sustainable? How can we deal with the labour shortages? All of these questions go right through our municipalities. So I'm very pleased with the process that we put in place. I know it's ambitious — a year — 12 months. The municipalities don't seem to think it's ambitious. They're excited about this process. They're working sincerely with the review committee to have the report in place by May. Again, I have full confidence in the review committee itself. I'm very impressed with the individuals on that.

It is an open, public process. I would remind the member opposite that, if you can't get to a meeting, if you're on your jobsite at 11:18 and you can't get into Haines Junction, that doesn't mean you won't be heard. You can write a letter; you can go to the municipality of Haines Junction; you can give them a letter of communication; you can get on our blog and voice your concerns.

So we are open and it's a public process. That's what municipal governments are all about.

I want to put on the floor that it's all about how we make our municipalities even better places to live. That's what the theme of this thing is: how do we make our municipalities more sustainable and how do we make our communities better places to live? That's what we're working toward.

That takes good governance. Another very important thing is long-term sustainability and how that comes about. All those things will be discussed; all those things are going to be reviewed by the committee and the recommendations are going to come back to the government.

Now, I went to a meeting last Friday with all the municipalities and it was sort of a jump-start to the groups all getting together. But I visualized myself having at least another meeting with the group to get updated on how things are going and how the municipalities are feeling about being included in the meeting — in other words, how they feel we're going forward. So I'm going to monitor this, and I'm going to work with the review committee to get the recommendations in front of me by May of next year. I look forward to implementing those recommendations for the next five-year commitment that the Government of Yukon is going to make to the municipalities. Thank you, Mr. Chair.

Mr. Cardiff: I thank the minister for the answers that he provided and look forward, down the road, to the ones that he didn't answer. I agree with the minister. Municipal governments are very important and they work hard. Municipal governments are the ones that are closest to the citizenry they represent.

I don't know if the minister understands the *Municipal Act*. The *Municipal Act* is what empowers municipalities, gives them the right and the authority to do certain things. But at the same time, it also limits those powers and provides rights to the citizens whom they govern, much like other legislation that we have in this territory.

Not once in the minister's response did he talk about how this review was going to address issues of democracy and citizen participation. He talked about how it's a one-year process that ends in May. So we're six months into the process and there hasn't been a meeting with the public. The public hasn't had an opportunity necessarily to provide input. So I'd like to ask the minister whether or not there will be opportunities for more public meetings before the report goes forward.

The minister didn't answer any of the questions about petitioning and referenda and that whole concept of the public vote section. No answer at all, so I am assuming that the answer is still, "If you don't like how you're being treated by your municipal government, take them to court." That's the minister's answer; it's their right. Well, there are other checks and balances that the minister is responsible for as the Minister of Community Services. If you read the act, it appears that the minister has those checks and balances at his disposal and if citizens have issues with the decision or a process from a municipal government, those checks and balances are to use the Municipal Board to hear any matter, with the minister's discretion, or to appoint a municipal inspector to look after the matter.

The only time this government has done anything like that is when they basically appointed somebody to oversee the finances of Dawson.

So, it's under his discretion that the minister can ask the Municipal Board to rule on any matter under the act. However, there's no website for the Municipal Board. We cannot find terms of reference for the Municipal Board or copies of rulings, despite its power, at the minister's discretion, to rule on any matter within the act. We know that the chair of the Municipal Board is very experienced. He should be experienced — he has been there since sometime in the 1980s. It looks like it could have been a lifetime appointment to be the chair of the Municipal Board.

Can the minister provide information — he probably doesn't have this here, so it would be in the form of a legislative return — on the terms of reference for the board and a list of its rulings over the past eight years? Can the minister tell us whether he or his predecessor, the current Minister of Health and Social Services, has ever directed the Municipal Board to rule on a matter and what is the process for determining whether to use those options or do nothing and allow the respective parties to go to court?

Hon. Mr. Lang: I remind the member opposite from the Third Party: everybody has the right to go to court. They do. That might be a surprise to the member opposite, but the courts are open to everybody in this country. As far as the Our Towns, Our Future review is concerned and the review committee, nothing is off limits. Whatever they recommend to bring forward to this government will be considered by this government.

By the way, Mr. Chair, I do work with AYC and the municipalities; they're our partners. When the municipalities make decisions on certain issues, I respect that decision-making process. Obviously, some of the decisions the member opposite didn't like; the individuals went to court, as far as I know. I'm

not going to delve into who won and who lost, but the facts are on the floor.

They went to court and the city won that decision. I'm not going to override that. I don't override judge or court decisions. I respect municipalities. I don't pick and choose what the municipality does and then run roughshod over them because somehow I'm senior government. This government doesn't do that. Obviously the Third Party would do it, but this government doesn't.

I work in partnership with the municipalities and the AYC and, by the way, I'm going to work with the review committee for Our Towns, Our Future. I'm going to listen to the recommendations that are brought forward and certainly consider them in the coming year. This government will make a decision on how we'll move forward on those decisions, but those decisions will not be limited to what I want to hear, like the member opposite recommends. Those decisions will be all the decisions that come out of the review here and every Yukoner will have an opportunity to voice their opinions and their concerns in the municipality to better the municipality they live in. Now whether it's at a lunchtime meeting, whether it's through the municipality itself, whether it's through our access to our e-mail, whether it's through letters to the minister, those voices will be heard.

Mr. Cardiff: You know, it's interesting. Everybody has the right to go to court, but the minister has the duty to uphold the principles and the intent of the *Municipal Act* and, if the act is broken because the courts are interpreting it in such a way that it doesn't meet the intent, then that shows that the wording needs to be changed. That's what has happened with the court decision around *City of Whitehorse v. Darragh*. The minister has to realize that not only does everybody have a right to go to court, but they have every right to expect the minister to stand up for due process as it's written in the act.

The minister has failed to do that in this instance. I'll go back a page. This is what the intent was — I've talked with senior bureaucrats and others who have told me that, if you want to understand the intent of a piece of legislation when it was introduced, go back and read the Second Reading speeches. Go back and read what was said in Committee of the Whole about what the intent of the legislation is or was. This is what the minister said, "The new *Municipal Act* replaces ministerial control with an approval system" — okay, just a second. I'm going to start again. "The new *Municipal Act* replaces ministerial control and approvals with a system that empowers voters" — citizens, if the minister doesn't understand who voters are — to provide direction to municipal governments; "the provisions for petitioning and public votes put the checks and balances into the hands of the electorate."

Now the minister wants to talk about his partnership with AYC and his partnership with municipalities. I have no problem with that; none at all. I admire anybody who puts their name forward to stand for office, whether it be in this Legislative Assembly, on a municipal council, federally or on a hamlet council. I attended a hamlet council meeting last night and listened to the discussions in the community, and they work damn hard to do the job that they're asked to do — to represent their

citizens. But at the end of the day, there are powers that the minister has and responsibilities that the minister has to stand up for the intent of the legislation. I don't believe that he's doing that. He needs to think about the partnership with citizens.

I could read through — I've got notes upon notes upon notes about some of these cases. When the minister responded — I think the minister is pretty familiar with the *City of Whitehorse v. Darragh* case, but for others in the Legislative Assembly who don't know the background, so that they have an understanding, there was a petition organized by Ms. Darragh to establish a park at McLean Lake. She got the required number of citizens to put their signatures to a petition. She followed the process that was written into the law that this minister is responsible for, in the *Municipal Act* section called "Public Votes" and fully expected a question would be put to municipal votes in a referendum.

The city challenged that in the Supreme Court; it argued that the petition should be rescinded and that no referendum be held, as the matter was dealt with in the official community plan. But if you go back to the intent, to what was said when the act was introduced, the system was supposed to empower voters to provide direction to municipal governments and the provisions for petitioning and public votes put that into the hands of the electorate — but not in this case.

She originally won the case and was awarded costs. The judge wrote the judgement that said, "There is no mention of the OCP or any expressed intention to exclude it from the by-law referendum provisions; therefore, it seems that OCPs are not meant to be excluded from the petition process."

Then the city appealed the judgement to the B.C. Court of Appeal, which threw the previous judgement out, which left the citizen, Ms. Darragh, with a hefty legal bill which the minister won't pay, on top of months and months of personal effort trying to uphold democracy in our community.

On December 2, 2009, the minister wrote Ms. Darragh and expressed appreciation for the time and energy that she had personally invested to seek clarity on the issue and the minister — he didn't thank her for all the money she spent — further wrote, "The recent decision by the Court of Appeal clarifies," and that's the key word, "the relationship between the two processes." But if you go back to what was said when the act was introduced, it's clear that was not the intention.

Here's a question for the minister: has the minister wrote that his government needed the Court of Appeal to clarify? If that's what the minister needed — the Court of Appeal to clarify its own *Municipal Act* — maybe the minister should commit to reimburse Ms. Darragh for the legal expenses incurred for the appeal, which were \$14,358.62.

Basically, Ms. Darragh, by exercising her democratic rights under the *Municipal Act*, didn't believe she would be hung out to dry and on the hook for these legal bills. So the minister should think long and hard. If he needed that ruling to clarify it, maybe he should pay her legal expenses because it certainly assisted the minister.

There are no provisions in the *Municipal Act* that provide protection from legal action. I want the minister to speak to these issues and not just hide behind court judgements and this

upcoming review. What is his plan to protect citizens from lawsuits if they invoke their rights under the *Municipal Act*?

Hon. Mr. Lang: The member opposite is putting on the floor some comments about a case that was decided about a year ago. We never took anybody to court. The member opposite said that we as a territorial government took — the individual took the City of Whitehorse to court and the city went to the Court of Appeal. That decision was made and we will live with that decision.

Today we're talking about the supplementary budget for the Department of Community Services. It's a very extensive budget. It's an increase of \$7.038 million, bringing our total capital budget for 2010-11 to \$84.043 million. The department's total operation and maintenance expenditures is requested to increase by \$1.698 million, bringing our O&M budget for 2010-11 to a total of \$67.461 million.

Since the spring sitting only a short time ago, Community Services has accomplished several important initiatives, thanks to the hard work of our employees and volunteers.

Here are a few of the highlights that I should put on the floor this afternoon. The lottery, which opened September 17, makes available a wide range of single-family and multi-family duplexes and townhouse lots to meet diverse needs in the City of Whitehorse.

Clearing and grubbing and roadwork have also begun on the Whistle Bend subdivision. Phases 1 and 2 of this major development will bring more than 190 lots on-line, with a view to having the first lots available in the summer of 2012.

We are listening to Yukoners and are implementing the *Yukon Solid Waste Action Plan*. The Solid Waste Advisory Committee, which was put together by this government, whose role is to help set priorities for improving solid waste and recycling programs in Yukon, was appointed this summer.

Recycling programs have been transferred to Community Services from the Department of Environment — a very important move. Transfer stations and recycling programs are operating in the Whitehorse periphery. Discussions to establish other regional landfill sites are ongoing. We have a commitment by this government that burning will be discontinued by the year 2012. So we're working with our unincorporated communities and our municipalities to bring that to realization.

Our objective is to modernize solid-waste management in the whole territory. We continue to build capacity for local community governments that is open, accountable, and fiscally responsible. We have begun the municipal fiscal framework review, which is what we talked about earlier this afternoon — the *Our Towns, Our Future* review. Consultation will get underway this fall, which is happening. That's a 12-month review, looking forward to the recommendations brought forward in May.

Community Services continues to work with Yukon communities to increase emergency preparedness and to respond to emergency events. Just this August, our Protective Services team successfully managed an integrated response to a serious wildland fire threat in the Junction 37 and Watson Lake area. The fire marshal's office, Wildland Fire Management, and the Emergency Measures Organization did exceptional work with

the communities to ensure evacuation plans were in order, local responders were engaged, and overall they demonstrated sound planning and successful response. I want to take this opportunity here in the House to thank our Protective Services team and the countless number of community volunteers for continuing to show great professionalism and efforts in safeguarding our Yukon communities.

We are working to modernize business legislation and services and have brought forward five business-related bills in this legislative sitting. This initiative, called the business legislation reform project, began over two years ago when we introduced Yukon's new *Securities Act*.

At the time, we recognized that our business legislation was outdated and that we needed to make changes to ensure we had not fallen behind the rest of Canada. The goals of the business legislation reform project are to modernize Yukon's business-related legislation, adjust for modern business practices, and simplify procedures to reduce the administrative burden for existing and, of course, new corporations. This is a large undertaking, Mr. Chair, and a big accomplishment for our department.

Our vision is for vibrant, healthy and sustainable Yukon communities, and we are working toward this end. Community Services continues to invest in Yukon communities and, of course, Yukon people. This supplementary budget reinforces that commitment. I noted a few of our significant accomplishments since the 2010 spring legislative session.

I would like for a moment to highlight a few more of our successes, Mr. Chair.

In May, the Employment Standards branch successfully launched their student and parent guide called *You need more than a job to start work*. This is a very informative publication that provides students with information they need to know when entering the workforce. This summer, Mr. Chair, Community Services awarded Yukon sport and recreation groups more than \$935,000 in grants for the 2010-11 year under the Yukon Recreation Advisory Committee.

In addition, Mr. Chair, there was \$423,000 put into the Yukon Sport for Life and elite athlete funding for 2010-11 was also awarded.

This summer the new regulations for licensed practical nurses in Yukon enabled the professionals to perform their full range of nursing tasks and promote labour mobility with the rest of Canada.

In August, we delivered a \$306,000 state-of-the-art pumper truck to the Ross River volunteer fire department. On October 5, during Fire Prevention Week, I was on hand with the Marsh Lake volunteer fire department to celebrate our firefighters and thank them for the great job they do to safeguard Yukoners. I also handed over the keys to a new fire truck for the Marsh Lake volunteer fire department.

Community Services supported the participation of 112 members of Team Yukon in the 2010 Canada 55+ Games. I compliment all the individuals who participated in this in Brockville, Ontario. They did a stellar job representing the Yukon. The team consisted of participants from eight Yukon

communities who travelled to Brockville, Ontario in August and represented our territory in 13 events and did very well.

A hot, dry start to the 2010 fire season triggered a number of fires that challenged Wildland Fire Management personnel. Crews were successful in protecting Yukoners from wildfire without serious injury or the loss of homes or infrastructure. There was \$819,000 in FireSmart grants also provided across the Yukon to reduce the threat of wildland fire in and around our communities and neighbourhoods — a great investment in our Yukon communities.

Carcross waterfront — projects continue to move forward. This summer we opened the new community boat launch with dignitaries from the Carcross Tagish First Nation and the South Klondike Local Advisory Council — another great investment in Yukon infrastructure.

On the Whitehorse waterfront, as I was speaking to earlier, projects are also underway. Not only as the Minister of Community Services, but also as a lifetime Yukoner, it gives me great pleasure to witness the revitalization of the Whitehorse waterfront. Under the Canadian strategic infrastructure fund and a partnership between Yukon government, Canada, the Kwanlin Dun First Nation, the City of Whitehorse and the Ta'an Kwäch'än Council, more than \$33 million are being invested in waterfront projects that will enhance business, tourism and cultural opportunities.

The Kwanlin Dun First Nation Cultural Centre, and of course, the new Whitehorse Public Library now under construction, are expected to be completed by 2012. You only have to go down and look at the structure itself to see how advanced they are on building that infrastructure.

The Whitehorse waterfront wharf project will also be under construction in 2011. For that wharf project, the contract will be put out this month and awarded the middle of next month. That is another thing that's going ahead this spring. Both of these important projects are sure to become main attractions for our capital city.

This summer, Community Services signed a memorandum of understanding with rural EMS providers to address their needs, including honoraria and training — a three-year commitment by this government to the volunteers. Work is proceeding with the design of an integrated emergency response facility in Whitehorse to, among other things, enhance EMS response time across this great city.

In the interim, this government has launched the EMS mobile deployment initiative. A mobile unit is operating out of the protective services building at the top of Two Mile Hill and, later this fall, will operate 24/7 from the protective services complex. In other words, we will have ambulance service at the top of the hill to serve that part of the city.

The new secure driver's licence and general identification cards are in the midst of implementation, as we were saying earlier. As I reported, the implementation is going according to plan and I look forward to the next six weeks so we can get that behind us. I went down and got a licence and I recommend that all Yukoners get access to that kind of driver's licence modernization, which this government invested in.

I wish to again acknowledge and extend my thanks to the dedicated, hard-working people in the Department of Community Services, who turn ideas into well-planned projects and real accomplishments.

This department has invested on the ground in every community in the territory; it has worked with our unincorporated communities — whether you're looking at the community of Old Crow or you're looking at our municipalities of Mayo, Teslin or the other communities.

You only have to go to the community of Mayo, Mr. Chair, and see the improvements in there since this government invested in a new community complex for that community; Dawson City with the investments that are seen on the ground there — the paving of Front Street; the new college is being built there and of course the apartment complex there to replace the Korbo Apartments and the waste-water treatment plan — all of that being invested on the ground in the City of Dawson.

In Watson Lake, there's the commitment for the infrastructure for water and sewer that the community is investing in partnership with the territorial government — another investment; working with the community of Teslin; working with the community of Ross River; expanding the management of the dog issue in our unincorporated communities and that has all been done internally in the Department of Community Services.

So as you can see, Mr. Chair, it's a busy department. There is not one community that isn't being touched in some way by Community Services and, certainly, we look forward to working with the department in an ongoing relationship and see the improvements on the ground that the department has done up to now.

Now, of course, in any department in the government we have obligations to all Yukoners; we take them very seriously. As we were talking about the Our Towns, Our Future review, which is expected in May, certainly we recommend that our communities get involved. I have stated on the floor this afternoon how individuals can communicate with the review committee. I am not going to interfere with the committee; I look forward to their recommendations and I am not going to second-guess what's going to come out of that review. I was very clear with the municipalities when we started the review that anything was open for discussion in the *Municipal Act* or in the financial agreements between us. I'm looking forward to their recommendations on how operational investments or matters can be improved in our communities by the input of the individuals who were at the municipal meeting a week ago Friday. All our municipalities were represented and they were excited about the direction the review was going. They participated verbally.

Our municipal governments are a cross-section of our communities. They have the best interest of the communities at heart and are the ones that make decisions on a municipal level. I respect that and work with them and, of course, AYC to make them even more successful. They're all looking forward to the review committee coming to their community.

We also have contacted the First Nation governments in these areas to make sure the option for dialogue between us and

the committee is available, and we look forward to them participating.

All the bases are being covered. I certainly look forward to the outcome of this review. This is the first time this review has been done on this level. I'm not quite sure how many years, but I would say probably in 20 years of municipal government, this is the first major review we've had in respect to bringing in the municipalities, bringing in the general public and going to work and making the changes to modernize not only our *Municipal Act*, if it's so desired, but also modernize our access to the resources that they need and also the operation of municipal governments. There's certainly another large investment. With the commitment that this government has made in partnership with the municipality of Whitehorse on Whistle Bend, one of the more important extensions is the Valleyview water reservoir. That's a \$5-million investment, and that's going to accommodate the Whistle Bend demand that is going to grow.

Whistle Bend is not only land development, but the infrastructure that's needed to maintain that when it's finished. It requires a number of off-site services: the water main extension, which is part of the reservoir expansion and, as we drive by there, you can see the roadwork that has extensively been done. All of that added together is an investment of \$25 million and the direct cost of on-site work for phase 1 and 2 of Whistle Bend is estimated at approximately \$41.5 million. Phase 1 and 2 will yield just under 300 lots. These will be a mix of single, duplex and multi-family lots, which will be made available to the Yukon consumer in 2012. The cost of on-site and off-site work will be spread over three fiscal years and we're moving ahead with that commitment.

Whistle Bend includes a total of six phases. The total value of the subdivision is estimated at \$172 million, yielding more than 1,000 lots. These will be a mix of single, duplex and multi-family units. As you can see, this is a massive investment for the City of Whitehorse and, of course, the territorial government, working in partnership with the municipality.

As the population is growing and strengthening, the demand is there and this government is committed to do whatever we can to meet the demand for access to land in the City of Whitehorse and all of our communities. We're working with all of them to maximize their land availability in our municipalities — whether it's recreational land, rural residential or municipal land — we are working seriously with our partners to make sure that we maximize the access to land in all our communities. So again, thank you, Mr. Chair.

Mr. Cardiff: I'd like to thank the Government House Leader for her contribution to the debate this afternoon. It was quite enlightening. I thank the minister for reading from the script once again and not addressing issues of importance to Yukon citizens, such as the democratic deficit that exists within how this government governs.

I'd like to put a few things on record. We're rapidly running out of time in this legislative sitting and the minister chose — instead of answering the questions that I posed — to read a laundry list of projects that I support. I see the value in a lot of those projects, but I don't see the value in depriving citizens of their democratic rights under pieces of legislation for which

this minister is responsible, but he doesn't want to answer those questions.

Those are decisions that he is, "willing to live with", in his own words. The minister seems unable to discuss anything around court decisions and we're wondering why; we're wondering how these court decisions affect things for this government. I think there is a flaw in suggesting that going to court is a right that everyone holds equally because, after all, money can buy justice and it's about being able to afford the legal costs. Governments — regardless of whether they're federal, territorial, or municipal — can afford to have lawyers on retainer and can better afford long, protracted legal battles better than most working people of this territory.

But the minister wants to invoke everyone's right to go to court. Well, I wonder if he supports that financially, because he says everybody has the right — so is he willing to put his money where his mouth is on this one and back citizens financially to go to court?

There have been a few big court cases. I talked about one earlier. There's an example of one in yesterday's newspaper. The affected people — citizens of this territory who are trying to operate a business — the minister says, "Go to court for six years." Now they're being threatened with eviction. So taxpayers are paying legal expenses as well, not just the municipalities. When a municipality takes a citizen to court, who pays for the municipality's legal bills? What is the contribution that the Yukon government makes? How much does the minister put up for those legal actions around the *Municipal Act*?

Does the government provide legal advice to a municipality? Would they provide legal advice to a citizen who is embroiled in a legal proceeding? Now, when the government has steps at its disposal like the Municipal Board and municipal inspectors, and it has lawyers to address the problem — but it chooses not to and the legal action begins — shouldn't a citizen be able to access government funds to access the court process that they have a right to? Because the minister says that they can go to court, and I think the minister is really opening up a Pandora's box on this issue. Maybe the minister could expand the current legal aid system for citizens caught up in court. Now, I am going to leave all those questions on the table for the minister to answer, and I look forward to either hearing or reading his answers to them.

There are other issues surrounding land and court decisions that I could ask, but there are a number of questions that I would like to ask in the remaining time I have today, which isn't very much.

As I said, I attended the hamlet meeting last evening. There are a number of issues the hamlet council is discussing — things around land planning, emergency response plans for the community. One of the issues I believe I've asked the minister before, or I asked the officials, is about the request for a consistent street numbering address system for all hamlet residents. This is to address the ability of emergency responders. We've got emergency responders in our community who do a great job.

I attended the annual general meeting of the Mount Lorne volunteer fire department again this year. I appreciate their

efforts and their contribution to the community and the fact that they've raised funds and the fact that they've increased the participation levels in the community there.

I have also asked both the minister and the Premier about whether the government would support the efforts of the Canadian Association of Fire Chiefs to create a federal tax credit for volunteer firefighters and for businesses that employ them. I was asking if they could provide letters of support for the association. The minister hasn't responded to that question. Maybe they could look at having a made-in-Yukon tax credit to support volunteer firefighters and their employers, if they're not willing to support the association's proposal.

This minister is also responsible for the *Insurance Act* and the Minister of Finance is responsible for the *Insurance Premium Tax Act*. So I'm not sure whether this minister can speak to this or not. If he can't, I hope that he takes it up with the Minister of Finance.

The *Insurance Premium Tax Act* says in section 2(2) the following: "In addition to the taxes payable under subsection (1), every insurance company transacting the business of fire insurance or property damage insurance within the meaning of the *Insurance Act*, including insurance against loss of or damage to automobiles through fire, shall pay to the Minister a tax equal to one per cent of the gross premiums receivable by the company during the taxation year in respect of that business transacted in the Yukon by the company after deducting from the gross premiums..."

So, I'd like the minister to tell me, does he know the amount collected through this section? Does this money go into general revenues? Other jurisdictions take this premium and they put it into a fund for fire departments and volunteer fire departments for equipment and training. I'm wondering whether or not this government and this minister would be amenable to exploring that.

I want to get a couple of other questions on the record before my time today expires. An issue of great importance to me is young worker protection. New Democrats brought forward a piece of legislation. The government decided to turn it into a motion and do a consultation. What I'm looking for from this minister is a progress report on the work done by the Employment Standards branch, which would be responsible for minimum-age regulations, which — according to the CEO of Workers' Compensation Health and Safety Board when he appeared in the Legislative Assembly — were anticipated to come into effect in January 2011. So I want to know whether we're still on track for early 2011 and whether the minister can make any announcements as to what those minimum age restrictions might be.

I would also like to ask the minister a question about the minimum wage rate while we're in employment standards. Yukon's current minimum wage is \$8.93 an hour; Ontario is \$10.25; Newfoundland is \$10; Nunavut is \$10; Nova Scotia is \$9.65; Manitoba is \$9.50; Quebec is \$9.50; Saskatchewan is \$9.25; New Brunswick is \$9; Northwest Territories is \$9; Prince Edward Island is \$9; Yukon is \$8.93; Alberta is \$8.80 and B.C. is \$8.

We're the third lowest of all Canadian provinces and territories and we're the lowest of all the northern territories. I rec-

ognize there was a change made. The regulations tie the minimum wage to the consumer price index and increases happen annually on April 1. I understand the benefits of doing that, because it means there are steady increases for workers, but the increases since the regulation tying the minimum wage to the CPI have been so minimal that there are years when the CPI actually went down due to price decreases for fuel. Now we're once again back near the bottom of the country in terms of minimum wages.

We've called for raising the minimum wage to \$10 an hour and I actually believe that it should be higher. With the high cost of housing, rent, food and fuel, \$10 an hour isn't really a whole bunch. So in the context of the social inclusion strategy, maybe the minister would consider another OIC soon to raise the minimum wage to what is actually termed a "living wage level".

One more time, while we're still in the employment standards area, I'd like to ask the minister — in the territory, we have the Yukon nominee program. It's administered through the Department of Education, where new immigrants go through a process that gets them on to the track for residency here in the Yukon. There may be temporary foreign workers under federal immigration permits working in the Yukon who are not actually part of the Yukon nominee program. Immigration Canada is responsible for them under the *Immigration and Refugee Protection Act*, but it's the province or the territory that is actually responsible for employment standards. So I'd like to know what the minister can tell us about the temporary foreign workers who are not part of the nominee program — how many there are, whether or not they have rights under Yukon's *Employment Standards Act*, and how does the Employment Standards branch ensure that those temporary foreign workers' rights are not being violated? What types of inspections and checks are there for that?

I have one more question I'm going to leave on the record for the minister. I will attempt to listen this afternoon or he can provide it by legislative return or I'll read it in *Hansard*. I've heard the minister mention the work that's been done on the dog problem. I appreciate and I thank the minister for bringing forward the *Animal Protection Act*. I think it's a very important piece of legislation. It's something that I asked this government to do for many years, prior to it being introduced, and I appreciate the fact that they did it.

I think that it's important and I thank them for doing that, but I've heard a lot of complaints about how another piece of legislation, the *Dog Act*, does very little in unincorporated areas. The act says in section 5(1) that, "no owner shall permit a dog to run at large (a) in an area that may be defined by the Commissioner in Executive Council; (b) contrary to a bylaw made by the council of a municipality; (c) that is of a vicious temperament or dangerous to the public safety; or (d) while in heat." 5(2) says, "(2) An officer may seize or kill a dog found running at large contrary to paragraph (1)(c)," which is when it's of a vicious temperament or dangerous to the public safety.

Now, in unincorporated areas, citizens are told to call the RCMP, but the RCMP, I think — as we found out in our discussions about the *Animal Protection Act* — are reluctant to get

involved when there are problems regarding citizens and their domestic pets.

I'm just wondering what the minister intends to do about this. Is there something that the animal protection officer can do to enforce the *Dog Act*? Is there a review scheduled for the *Dog Act*, as well as putting some resources in place to deal with problem dogs in unincorporated areas? This is an issue that's coming to me from constituents, and not just constituents in my riding. I can tell you that it's coming to me from constituents in ridings other than my own, by constituents who are represented by other MLAs in this Legislative Assembly. I'd like the minister to provide answers to those questions.

I recognize my time is just about up this afternoon. I put a lot of questions on the record for the Minister of Community Services to answer and for his officials to provide advice and counsel on.

I want to thank them in advance for ensuring the minister answers those questions and I look forward to receiving a rather large legislative return from the Minister of Community Services. Once again, thank you to the minister and the officials and thank you to the Government House Leader too.

Hon. Mr. Lang: I appreciate the member opposite's questions. Certainly, the *Animal Protection Act*, was something this government spearheaded and brought to the floor here and activated. By showing a commitment, we hired an animal welfare officer, which is now a full-time employee of the Department of Community Services. That position helps enforce and provide education programs about both that act and the *Dog Act*. For example, this past summer, we worked very closely with the Ross River Dene Council, residents and a veterinarian to address concerns about dog population growth and dogs at large in Ross River. It was very successful. The animal welfare officer is also available to investigate complaints under the *Animal Protection Act*.

But in the case of an emergency involving a dog, Yukoners should first call the RCMP. We remain committed to working collaboratively with the Yukon Humane Society. We have been working with our Humane Society to come up with the *Animal Protection Act*. The RCMP is part of the partnership — and communities throughout Yukon — to take a proactive approach to ensuring public safety and animal welfare.

Some of the other questions asked this afternoon were pertaining to the Department of Community Services. One of the things that we should talk about is the opportunity for our communities — not only our municipal communities and unincorporated communities, but also First Nation communities — and the availability of the gas tax funds. This has been a real, positive investment in our communities and I look forward to it as it unfolds. The Yukon government works directly with Yukon communities to ensure easy access to gas tax funds. All recipients have received planning money to develop their integrated community sustainable plans. Those all had to be in place before the gas tax funds were triggered. A total of 103 projects from First Nations and municipalities have been approved for gas tax funding.

Once projects are approved, their funds can flow within a couple of weeks. We continue to assist First Nations and our

municipalities to advance their multi-year capital plans and encourage them to maximize their opportunity under the gas tax fund. We will also continue to support them in developing and increasing capacity to manage and, where possible, to build their local infrastructure.

The gas tax funds provide monies to Yukon First Nations — 25 percent. Municipalities get 68 percent and the Yukon government, on behalf of our unincorporated communities, receives seven percent for environmentally sustainable communities' infrastructure. The original agreement provided \$37.5 million in 2005 to 2010, with an additional \$60 million in 2010 to 2014 as a result of signing an extension agreement with Canada. Eligible project categories include: water and wastewater management; solid water waste management; community energy systems; public transit; active transportation infrastructure; local roads, bridges and tunnels that enhance sustainability outcomes; building systems improvements that lead to significant energy efficiencies; and community capacity buildings.

Community Affairs works closely with the recipients to set up an easy-to-follow timeline for project reviews, offers an annual gas tax fund workshop for recipients, and is available for the ongoing guidance and support to assist recipients to understand their gas tax fund obligations and, of course, requirements.

To give examples of the improved gas tax funding community works projects by community — these are just some of the projects that have moved forward. The Village of Carmacks: monitoring well installation at the Carmacks solid-waste facility — that was a \$26,000 investment — these are just rounded off figures — tangible capital assets — \$5,000 investment; Tantalus sewer line replacement — a \$44,000 investment; and replacement of municipal office windows — a commitment of roughly \$18,000.

In the City of Dawson: well intake program — that was \$123,000; pumphouse chlorination improvements — that's a \$512,000 investment; their water quality program — \$47,000; and piping replacement in water valve chamber — in other words, infrastructure money — that is \$551,000; and a compost facility at the Quigley dumpsite — that was an \$80,000 commitment. That's the City of Dawson.

This is not the end of these investments. These are some of the investments that these communities have made. The Town of Faro — water system well house 1 motor upgrades — a \$35,000 investment; replacement of the boiler in the Faro rec centre — that's a large investment — \$87,000; the Faro lagoon 3 reconstruction — \$99,000; Faro sewer main replacement — \$52,000; recreational centre asbestos removal project — a \$90,000 investment. Those are investments that are done to date in the community of Faro.

The Village of Haines Junction: fire hall energy-efficiency improvements — a \$200,000 commitment into the community; arena ice plant replacement — \$300,000; enhanced energy efficiency to fire hall, phase 2 — that was another \$200,000. So you can see that the resources from the gas tax program are really benefiting our communities.

The Village of Mayo: recycling centre — a \$340,000 investment; looking at their warm water system — an assessment

— \$55,000. So that's the two projects on the board for the Village of Mayo.

The Village of Teslin has invested in the Nisutlin Drive bike lane paving with \$75,000; sewage lagoon fencing is a \$3,200 investment; recreation complex roof is \$25,000; recreation centre water supply is a \$61,000 investment; and transfer station for the Teslin landfill is another \$68,000 investment. The recreation complex and administration building water closet replacement is a \$16,000 investment; composting program is \$16,000; wood-chip lease and operator is \$8,000; recreation complex roof repairs, phase 2, is \$157,000; tangible capital asset reporting was a \$35,000 investment; mezzanine improvements is \$197,000; lagoon and water land hydraulic assessment is \$14,000; and the compacting garbage truck is \$159,000. That's the money that the community of Teslin has invested through their gas tax commitment.

The Town of Watson Lake: the administration building roof is a \$40,000 investment; Watson Lake chill unit, \$134,000; chill unit training for three staff which is important — how you manage it — \$7,000; recycle centre upgrades of \$15,000; tangible capital asset reporting implementation, a \$49,000 investment; and chill unit condensers, which was a large investment of \$73,000.

If you look at the towns of Watson Lake and Teslin, you can see a lot of their resources are going into their recreational complexes and enhancing their infrastructure, which is a wise investment for the gas tax.

The City of Whitehorse, being our largest municipality, has lagoon monitoring wells of \$126,000; water sampling stations, \$50,000; sidewalk upgrades on Lewes Boulevard, \$900,000; Selkirk well development, a \$3.4-million investment; Livingstone trail sewer outfall pipe, \$5.8 million; compost program improvements, \$2.7 million; bike racks and lockers, \$150,000; efficiency upgrades for fire hall no. 2; public safety, a \$3-million investment; water cross connection and bleeders, \$25,000; waste compost study is \$60,000; lift station upgrades, \$510,000; asphalt pass and trail connections, and \$100,000; development and improvements of landfill, \$325,000 — large investments in the community of Whitehorse.

Going on with the investments, there's a pumphouse and recirculation station — \$160,000; Marwell lift, electrical drive and power conditional upgrade — a \$355,000 investment; Porter Creek flush tank and ground temperature monitoring, \$400,000; sewage lift-station improvements, \$235,000; transit bus replacement, \$900,000; heat recovery at Canada Games Centre is a large investment of \$250,000; public transit, public engagement is \$40,000; Selkirk water pumphouse replacement, \$7.4 million; Riverdale south wells expansion, \$1.8 million; downtown reconstruction phase 3 underground, another \$2.6 million; downtown reconstruction phase R3 streetscape, \$550,000; and downtown reconstruction for Hanson Street is another \$440,000 investment.

These are all investments the City of Whitehorse made with their gas tax contribution.

If you were to look at our First Nations and what they've done with their resources: CTFN sewage truck garage,

\$180,000; bus shelter and street lighting, \$72,000; early child development centre constructed, \$150,000; purchase and installation of centralized solid-waste collection vessel, solid-waste vehicle, which is \$311,000; Kluane First Nation house relocation, \$81,000; boiler installation, \$174,000; insulation of Chief and Council chambers is \$10,000; build two arctic entries for individual water supply storage system, \$24,000; install a new waterline from well to community buildings, \$12,000. So again, more money in infrastructure with the Kluane First Nation.

LFN is investing in an Albert Creek subdivision water-quality project — an \$87,000 project. Groundwater monitoring, Upper Liard solid-waste facility, \$141,000. Little Salmon Carmacks First Nation infrastructure planning, \$73,000; a water-truck shed, \$331,000; Nordenskiöld subdivision expansion water supply — another investment by the First Nation of \$331,000; NND community centre geo-exchange heating system and central water supply system was a \$535,000 investment; NND central service building phase 2, \$491,000.

Ross River Dena Council sustainable subdivision environmental assessment and survey — that was a \$150,000 investment; trailer renovations were \$79,000; addition for sewage truck and utility room, \$198,000; and laundromat renovations was an investment of \$150,000. These are all investments that First Nations are doing in their communities.

Selkirk First Nation piped water system — I think this is the end of their piped water-system investment — it's a \$233,000 investment. This is an ongoing investment that the Selkirk First Nation has been doing over the last couple of years. TTC monitoring residential fuel spill, \$91,000; purchase of a 24-passenger bus — that's an-\$85,000 investment; airport west subdivision sewer development is a large \$516,000 investment.

So as you can see as we go through this, Mr. Chair, the gas tax has been of great benefit to our communities, whether it's First Nation communities or our municipalities or, by the way, the investments we make on behalf of the unincorporated communities.

Without these kinds of investments and access to resources, it makes it very hard for these communities to do the jobs that they have to do. As you can see, most of these investments are infrastructure, on the ground, and very needed in our communities so that, again, is good news. I will wait for questions from the floor here and look forward to the debate this afternoon.

Chair: Order please. 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. 22, *Second Appropriation Act, 2010-11*. We will now continue with general debate on Community Services.

Mr. Mitchell: As the minister likes to say, it's a timely time, so it is a timely time for this department to be up. I understand that the minister met yesterday with two constitu-

ents from the Faro region and that they brought forward their concerns about protection for their home and business under the *Municipal Act*. They had taken over a lease for wilderness property and obtained a business licence for the wilderness tourism business that they have been running for several years. They also applied for and obtained building and occupancy permits from the government for an improvement to the original cabin that was on the land when they purchased it. They also applied for and received title to the property.

All this was done according to the standard government procedures. Their right to use that land according to those permits has now been compromised and they've been involved in lengthy and expensive legal actions with the Town of Faro. They are relying on their rights under the *Municipal Act* to keep their home and business and they are relying on the minister to make sure that the act is enforced.

I recognize that the minister can't comment specifically on court actions or anything in front of the court and I'm not asking for the minister to do so.

These constituents referred specifically to two sections of the act: sections 298 and 305. I will read those. Section 298(1) reads: "Where a zoning bylaw is in effect, no development, use, or change of use shall be undertaken unless a development or use permit has been obtained, if a bylaw requires the permit." I will again say that, in fact, the government issued these permits, so therefore the act was complied with.

Section 305 reads: "The use of land, a building, or other structure is not affected by a change of ownership or tenancy of the land or building or other structure." This does involve a change of tenancy, because they bought this business from the previous owner. It was on leased land; they went ahead and applied for and received the transfer of the lease, all of which was predicated upon them having a valid business licence, which they did have, and other requirements, all of which were sufficiently met to allow the Yukon government to actually transfer the lease and, furthermore, to have the Yukon government eventually transfer title of the land. So it is titled land.

They believe their rights under the *Municipal Act* were not enforced by the Yukon government and they were obliged to go through the courts regarding ongoing issues with the Town of Faro.

In fact, one of the requirements was that they get a renewal of a business licence. They did win that in court and had their business licence renewed. But there has now been a new court action for eviction off the land to which they hold title. I would remind the minister that this is an urgent matter, since they're now facing an eviction notice from land to which they hold title from the Yukon government. So it's essential, if the minister is going to take any action to protect their rights under the *Municipal Act*, that he does so in a timely manner. I know the minister met with them yesterday and I've met with them today. I'm wondering whether the minister can provide a timeline for responding to their very pressing concern.

Hon. Mr. Lang: Addressing the member opposite, it's true that I did meet with the individuals yesterday. To be fair to me, I haven't been briefed from the department. So for me to enter into a debate this afternoon would not resolve any

issues. So I'm waiting for that briefing and certainly would treat it seriously if in fact it proves that there was something irregular in what happened.

Mr. Mitchell: I thank the minister and I want to be clear here: I'm not here to ambush the minister. It is just that time is of the essence and the Yukoners involved had asked to meet with us this afternoon. I thought — that's why I'm bringing this up here and not in Question Period — to try to have a better discussion.

I had met with these people in years past over previous issues revolving around the same issue, so it is something that I have dealt with over a period of time. If the minister cannot speak to the particular constituent situation now — appreciating that the minister needs to be briefed — perhaps I could ask the minister to speak to the larger issue at hand. Why isn't the minister enforcing the *Municipal Act* rather — there are other cases that we've heard of in here; I'm not going to cite them, but certainly I have a constituent that has been in a similar situation or two — than making individuals take their problems through a fairly lengthy, onerous and expensive legal process? That is, how should individuals who have followed all government processes and have their permits in order ensure that they aren't later evicted from their homes?

It's very difficult for individual Yukoners to pursue complicated and expensive court actions. Sometimes, they can't even afford a lawyer. I have another constituent — and the minister is well aware — who acts as his own lawyer, which is clearly a difficult process. But in this case, these people did pursue action through the courts and, in fact, were eventually successful in one aspect of it, but it cost them a great deal of money, effort and anguish, as opposed to being able to go to the government and say, "Mr. Minister, it's your act."

Our action is not with the Yukon government — I want to be clear. This is not a case where people are in an adversarial situation with the Yukon government or in court with the government, but rather with another body, where the *Municipal Act* speaks to the issue at hand and the Yukon government is leaving it to individual Yukoners to fight these cases on their own. Can the minister provide us with any information regarding his position on taking a stand and making sure the *Municipal Act* is, in fact, being followed, even by municipalities?

Because I don't want to have to stand up too many times in response to the minister's previous response that he is going to look into this specific issue with constituents and get fully briefed. I would ask the minister to commit that he will do so in as timely a manner as possible because these people are facing a court date for an eviction notice within the next 30 days.

Hon. Mr. Lang: In my last remarks about the lack of background on this from the other side, there are always two sides to an issue — sometimes four. I've learned that in politics. But I can say to the member opposite that the municipal government is a government, and they're in charge of zoning in their municipality. That's a municipal thing, and I'm not prepared to trump the municipal government on its responsibilities.

Now, again, I haven't been briefed completely on this, but in the notes here, the land in question is zoned "hinterland" in

the Town of Faro. Residential use of the property is not permitted; use of property is zoned as hinterland. The individuals petitioned the court, seeking a number of declarations which could allow them to use and occupy the property as their residence.

They did that with the municipal government. In 2009, the Supreme Court confirmed that residential use of the property is not a permitted use of the property zoned as hinterland — again, I haven't been briefed on this; I'm just reading some notes — and at best it may be a discretionary use, which would be a town council decision.

They appealed this judgement and, on August 9, 2010, the Yukon Court of Appeal dismissed the appeal with costs to the Town of Faro. So there were costs all around on this issue. It wasn't just the plaintiffs; the municipality was also charged.

The recommendation: the issues between the municipality and the individuals — and obviously there are issues between the two of them — and it appears, in not being briefed, that the individuals could write a letter to the Town of Faro, requesting a discretionary accessory residential use of the property.

So there is an avenue the individuals could use. They could write the letter and apply for a discretionary accessory residential use of the property. So that's another avenue.

As far as getting into the court decision or trumping the municipality because of the *Municipal Act*, the *Municipal Act* is very clear that the municipalities have the responsibility for zoning. They have other responsibilities that I feel as the senior government or as the Yukon government — that is their responsibility. At no point did we go to court with individuals. At no point were we even aware of this on a daily basis as a government. We leave those kinds of decisions up to the municipality. They seem to be in the conversation in those notes I read — my learned friend tells me I can't change municipal zoning even if I wanted to, as the minister. So that in itself answers the question. I couldn't get involved at any level. That is up to the municipal government to do.

But as far as individuals going to court, I'm not a great believer in going to court, Mr. Chair. I always believe that at the end of the day, it's better to negotiate and talk things out before you go to court. But I understand people do go to court. Also, Mr. Chair, when you go to court, there are costs. Those costs are borne by the individual who goes to court.

As I said to the member opposite, I haven't been briefed on this. I know there is more to the story than one side. Obviously, the member opposite is representing one of those sides. I, as the minister, have responsibility of listening to all the sides. Hopefully, the municipality of Faro and these individuals come to some kind of agreement. It's not to the benefit of anybody to go to court any more on this issue. Obviously, there's no more room for court, unless they go to the Supreme Court of Canada. Again, as the Minister of Community Services, if I wanted to manipulate in some fashion the zoning in the municipality, I have no mechanism to do that. I'm not allowed to do that. That is totally a responsibility of the municipality.

Mr. Mitchell: I thank the minister for his response. I just want to clarify — I fully understand and apprised the citizens involved of what could and couldn't be done by the Gov-

ernment of Yukon. There's no argument that the minister should be trying to set zoning policies for a municipality. We're in accordance on that issue.

However, it's a territorial development permit and building permits that were issued to the previous leaseholder; it was a territorial lease and a territorial permit was issued to build a structure, and the purpose that was on the issued permit — signed off by Yukon government officials and inspectors — was for office space and accommodation. I presume the department would have been familiar with the zoning regulations and what the zoning was. The Yukon government issued a development permit to build a very specific structure that was set out with sizes, dimensions and purpose for offices and accommodation. That was signed off by the Government of Yukon and, therefore, the Yukoners involved went ahead in good faith to build the structure as described on the permit. I would also point out that, if you look at the bottom of these permits, there's a copy that went to the municipality, so the municipality was also informed by the territorial process of the intended use of the structure that the territory permitted.

That is where the minister does have some responsibility and some involvement. We can't resolve this on the floor of the Legislature; I would just ask the minister to look into this and recognize the timelines that are involved. These people have just recently been served with an eviction notice from land to which they have clear title from the Government of Yukon.

Hon. Mr. Lang: My limited knowledge on the other side of this issue and from notes from my learned friend — the member opposite is confusing building permits with zoning and rezoning on the structure. You can build a building, but with the zoning you couldn't live in the building permanently and year-round. Those were issues.

Again, I don't want to argue the point on the floor here today. This is not a good case for those individuals. I have heard in the media — and I don't believe everything I hear in the media — that there is a 30-day extension of some sort of the eviction. I'm not sure if that's correct. I can't debate this here today because I haven't heard the other side. I understand the member opposite had the same briefing I did from the individual. I appreciate that. I'm not shutting the door on anybody; I'm just saying I have to dig in a little to find out exactly — again, as the member opposite said, I can't change zoning if I wanted. It's not in my purview at all to do that.

All I do as Minister of Community Services is work with the municipalities to try to resolve as many issues as we can in partnership with them. Again, I can't promise the member opposite anything, but I certainly will get briefed on our side — or what we know of on the other side of the issue. Again, it's a municipal issue.

Mr. Mitchell: I just have one more question on this topic for the minister. I recognize that some of this is not within the minister's purview, as he says. Some would be. Yes, the minister is correct about the eviction notice that they were recently served with; the court has granted them a 30-day extension. I only ask of the minister — since he indicates he will get briefed on both sides and that's fine — that he should be fully briefed by the municipality as well as the constituents to make

sure he fully understands the issue. Will the minister commit to moving expeditiously to get those briefings, so that whatever decisions he makes, he's in a position, if there is any action he can take, to get them within that time frame prior to this 30-day court date?

I recognize the minister is a busy man, but that's all I'm really asking here today. Will he ensure that he's fully briefed within that time frame so that he can perhaps answer me in person or by letter — or the constituents, in time for them to know what the government can and cannot do prior to their court deadline?

Hon. Mr. Lang: I don't get briefed by the municipality; I get briefed by the department. So that's my limitation. I don't pretend that the municipality will brief me on anything. So I will work with the department timelines. I can't guarantee timelines, Mr. Chair, but I certainly will get the briefing I need to be more aware of the actual situation at hand.

It's a municipal issue, and I would really recommend that the individuals talk to the municipality — the government that will be making those decisions — to try to resolve this issue. But, as far as the territorial government is concerned, I will talk to my department about a briefing, and we'll see what comes out of that, Mr. Chair.

Mr. Elias: It's a pleasure to participate in the debate on the supplementary budget, Vote 51, Community Services. I do have a few questions for the minister, and I do apologize if they were touched upon in the last couple of days.

With regard to the Hockey Day in Canada telecast that will be broadcast from our capital city on February 12, 2011, I'm wondering what the department's involvement will be and if there's going to be a financial contribution to this Hockey Day in Canada to ensure its success, because this is going to be approximately 12.5 hours of national and international exposure for our capital city, as well as our communities and the territory as a whole. I think it's a wonderful opportunity to once again showcase our territory's sport and recreation culture as well as our territorial arts and culture. I think this is a wonderful opportunity. I think the likes of Don Cherry and Ron MacLean operating out of Shipyards Park and people like Wendel Clark and even the whisper campaign around that The Great One might be coming to town.

I think that maximizing the opportunity here and the exposure that the territory can get is a wonderful opportunity to showcase our beautiful territory. I don't see in the supplementary budget any line items addressing this. Further to this, there's going to be a Western Hockey League game between the Vancouver Giants and the Kamloops Blazers and, as a hockey dad, I can tell you that the kids around the territory are pretty excited about this day coming up in the new year. There has already been a planning committee struck that is raising money in the public and private sectors. So they're doing their work and the city is doing their work as well, and I'm just wondering what the minister's role is in this and what his department's role is, if he's going to be providing some financial resources to this Hockey Day in Canada on February 12, 2011. If so, how much is that commitment going to be?

Hon. Mr. Lang: It will be an exciting time for Yukon to have this weekend. Every time we discuss it, it seems to get bigger and better, so hopefully it turns out half as well as what we're talking about, because it's a wonderful concept to have that kind of talent and peer example for our youth in the City of Whitehorse.

Sport Yukon has a representative on the organizing committee. We recently received a request for some financial support. We're committed to contribute, in conjunction with Tourism and Culture, to the actual investment. We wrote a letter of support when the bid went out, so we have been a partner in it and we are a full partner at the table. We have been monitoring what's going on and, as the request came in, I did talk with the Minister of Tourism and she was very positive about her department contributing. In looking back, it's amazing what this community has done over the last four or five years.

If you were to look back on what national championships, in a variety of sports, including hockey, we've hosted — of course, we did the Canada Winter Games, which was a fabulous success for the community; Arctic Winter Games, which we've done many times — two or three times; Yukon Native Hockey Tournament, for which this is the 34th year. It's always a great weekend, and it's a great success for the whole territory. The NHL Oldtimers have played here, and we hosted the B.C. Midget AA provincials in 1990 and 2006.

So as we move forward with this event, the amount of money is up in the air as to the contribution, but we certainly will be a partner in this, and we will be contributing, and it will hopefully fall together here for February.

Mr. Elias: It's encouraging to hear that there's going to be a couple of departments participating to ensure that this Hockey Day in Canada is going to be a resounding success, as it is when we host anything in this territory — it's incredibly successful. So that's good to hear, and I look forward to that day and seeing the delight on the kids' faces and the citizens' faces in this territory.

I'm going to move on here, but it's in kind of the same context. It's with regard to a skating rink in Carmacks and a community service centre in Old Crow that includes a skating rink. Does the minister's department have any long-term plans, goals or objectives with regard to the replacement and the development of an artificial rink in Carmacks and a skating rink or community service centre in Old Crow? If he can give me his long-term plans on the development and replacement of those recreation facilities in those two communities that would be great.

Hon. Mr. Lang: These are notes I have here for the work that has been done on the Old Crow community centre.

The government has sent a communication to the First Nation government offering the services of the Sport and Recreation branch to assist with developing a strategic plan to help identify priorities related to recreational programs and, of course, facilities in Old Crow. Thus far, they have not requested any further assistance or meetings on this project. So, we have written a letter and we have offered the manpower to go and work with the First Nation and we've had no response.

As far as the Carmacks facility is concerned, there have been some resources and some investment put on the ground through the rink program for the facility. A ballpark figure is just below \$200,000 that has been put into the Carmacks facility. I think it's around — that's a ballpark figure — maybe \$180,000. But that money comes from the rink program. Okay, thank you.

Mr. Elias: I thank the minister for those responses. Earlier on, I was listening to the minister talk about handing over the keys to some new fire trucks — one in Ross River and one in Marsh Lake. With regard to my home community of Old Crow — and I know we've discussed this before — is there any plan to replace the fire truck in Old Crow?

When can my constituents expect the minister handing over the keys to a new fire truck for my community of Old Crow?

Hon. Mr. Lang: In talking with my learned friend, we in the territory support 17 volunteer fire departments. The fire marshal has contacted the First Nation to discuss the situation further and is awaiting a response. What we're trying to do in Old Crow is get individuals on the ground in Old Crow to form a volunteer fire department and train a volunteer fire department to work in the community of Old Crow.

We have 17 volunteer fire departments throughout the territory. When we had the meetings of the fire chiefs in Dawson City this year, I met all 17 fire chiefs who work as volunteers in these fire departments. In December 2009, the fire chief in Old Crow called the fire marshal's office and resigned his position. The community of Old Crow is currently without any fire department members and has had great difficulty recruiting new members.

Old Crow is currently without any fire department members and has had great difficulty in recruiting new members. Protective Services is in process of developing a volunteer recruitment and retention strategy. Since December 2003, the Old Crow volunteer fire department has experienced ongoing difficulties recruiting and retaining fire fighters. Firefighter training was most recently provided to eight new community volunteers in December 2007. In addressing the member opposite, as we work with the community to get a volunteer contingent up in Old Crow and put the training together, and once we get a stable volunteer fire contingent there, then we certainly will be looking at advancing whatever is needed to make that fire brigade successful.

Mr. Elias: I'll thank the minister for those responses. I'll move on to the Municipal Fiscal Framework Review Committee. I believe there has been a \$250,000 budget established for this. Can the minister let us know what is the status of this committee and, in terms of the development of a work plan or timelines, what stage this is at? There's an associated issue with this in regard to the municipalities having to absorb the compliance cost when new federal or territorial regulations are put into place such as the new waste-water regulations.

The question with that is: with these new regulations comes costs, so is there going to be money from the federal government to help the municipalities deal with the costs associated with these additional federal regulations that the municipi-

palities have to deal with? How is the minister's office responding to these needs?

Hon. Mr. Lang: I certainly am aware of the costs of these investments and I have been in communication with the federal minister, as all the ministers of infrastructure were at our last meeting when we addressed the issue with the minister at our meeting. Front and centre of all jurisdictions in Canada are the costs that all of these regulations put on the backs of our municipalities. The new program that we put forward is certainly an aggressive plan — it's only 12 months — looking at the Our Towns, Our Future dialogue that's going on. Of course it's supporting municipality success from finance to operations — not just looking at finances; operations are very important in our municipalities too. Certainly, as I said to the member of the Third Party, public meetings are unfolding as we speak and there's an avenue for First Nations to get involved.

We are contacting the First Nations to see if they would like to have some dialogue with the group, too, so there is an opportunity for all levels of government to be involved in the actual review.

We're looking forward to the review coming back to the government in May of next year — the recommendations. The recommendations will cover everything that comes up through this *Municipal Act* review. Certainly, I look forward as the minister on how we, the government of the territory, will move forward over the next five years supporting our municipalities.

Mr. Elias: Moving on, again, I thank the minister for that response. I'll move on to the Kwanlin Dun cultural centre that's being built on the Whitehorse waterfront in the historic heart of downtown Whitehorse. I understand there is \$7 million from the government that is being put toward this cultural centre. Can the minister give us an update on the progress of the cultural centre? Is it on time? Is it on budget? Is it expected to come in on time and on budget?

Hon. Mr. Lang: In addressing the member opposite, we have to remember it's a KDFN project. It's their cultural centre, so I have been told that it is on time and on budget. It is their lead and it's their investment. Certainly, we're participating in a small way and also getting involved in putting the new Whitehorse library into the cultural centre. So, I don't get a briefing on that on a regular basis. It is a Kwanlin Dun project. I only walk by and around it to see that it is moving ahead at I guess a very speedy pace. Certainly, it's closed in now. I look forward to it opening in 2011 or 2012 — yes. The site preparation for the centre started in the fall of 2009. Construction resumed in May and has progressed with final project completion scheduled for the late fall of 2011. So, I have not heard anything else besides those timelines.

Mr. Elias: Moving on, it's my understanding that there is going to be some federal infrastructure-type transfers that are going to be sunseting as of March 31, 2011.

Can the minister go over how many Community Services projects are paid for under these sunseting federal transfers? Some of that federal money is subject to the projects being actually completed by March 31, 2011. I understand that one of those funding pots is the recreational infrastructure Canada fund. Can the minister please tell us which projects are being,

or have been, funded through these sunseting funds? Are there any projects under these funds that are not forecast to be completed by March 31, 2011?

Hon. Mr. Lang: The member opposite is talking about the stimulus funds that are sunseting in March. On the sports and recreation, the RInC fund, all the projects have been done: Dawson City recreational centre; Tr'ondëk Hwëch'in camp facility upgrades; Carcross recreational office; Watson Lake swimming pool; Beaver Creek community centre; Ross River recreational; Carmacks rink repair and walkway; Mount Lorne Zamboni shed — all those projects are either done or very close to being done under the RInC program and certainly any of the other projects we have on-line.

I have been told by my officials here that we have requested extensions and have been green-lighted on that, so I feel we're in good shape. Most of our projects are on time and, of course, on budget and the only stimulus fund under Community Services is the rink fund and we do not anticipate issues — obviously, they're done. The other department would be Highways and Public Works.

Mr. Elias: Again, I thank the minister for that update and I want to focus back up — I also want to go back up — to my riding again with regard to the Old Crow water well. I believe it's the third or even the fourth year I've been asking about the upgrading of the Old Crow water well. This is a priority of my constituents. I understand there are new federal regulations coming into effect in 2011, and I have seen numerous budget line items with regard to the upgrading of the Old Crow water well, but yet there has been very little physical work actually done.

I've seen the word “planning” used year after year after year, and my constituents are wondering when they can expect their source of drinking water to be upgraded — that it falls within the new federal drinking water guidelines. When are they going to start seeing some new infrastructure being developed in the community of Old Crow to deal with the Old Crow water well?

There have been some community initiatives with regard to cleaning the water holding tanks in each residence in Old Crow and cleaning the residue from the manganese that leaves a dark brown, sometimes black residue in the holding tanks. As well, the design of many of the new houses has changed to ensure that there is no cross-contamination between the sewer induction and the water intake. There has been a lot of work going on, but the main thing is that the well itself — the source of drinking water — has been in many of the budgets in Community Services, and my constituents are concerned that nothing is actually being done on the ground.

They're wondering why. So my question to the minister: when can my constituents expect a fully functional, complete upgrade of the Old Crow drinking water well?

Hon. Mr. Lang: Talking about Old Crow and the investment Community Services has made on the ground there, the First Nation government has identified a number of concerns with its landfill. Community Services' staff has met with VGFN in November 2009 and again in March 2010, at which time a working group was established consisting of members of

VGFN, administrative staff, together with Community Services Operations and Infrastructure Development branch staff. The working group is actively working toward the development of plans to implement the solid-waste strategy in Old Crow, focusing on recycling, waste handling and diversion. VGFN has also expressed the desire for a contaminated soil reclamation area. So those are a few things we're working on in partnership with the First Nation government.

Solid-waste management work that will be completed this year will evolve around better management of household hazardous waste, batteries and metals — in other words, managing the waste on the site.

Consultation has been engaged to provide conceptual design options for Old Crow's drinking water supply to assess how best to improve chlorine contact time, wellhead protection, as well as iron and manganese concerns. The conceptual design report is scheduled to be completed late November — this month. So, we'll have that plan in front of us at the end of this month. We are moving forward on the back of that conceptual design to do the actual work on the ground to answer the questions asked by the member opposite.

There is also reconstruction of ditching, culverts and roadwork to mitigate standing water issues within the community. This has commenced. The contract was awarded to Porcupine Construction in July 2010. Initial construction started in August and was suspended late September due to weather conditions. Phase 2 of the project will begin in February, constructing an ice bridge to begin the gravel extraction road and drainage improvements. Construction will restart in June 2011. Project completion is planned for October 2011, so the end of next year.

Community Services was advised by Old Crow of the mudslides and initiated a field visit and site assessment in August 2010. Assessments were completed at the site of three landslides and a report was provided to the community in August 2010. The community engaged the same consultant used by Community Services to complete a more comprehensive slope stabilization assessment for the full length of the escarpment behind Old Crow in September 2010.

All of this is work in progress. In addressing the water issue, we have to have the conceptual design and we have to have the expertise to know how we're going to address the water issue in Old Crow but, by this month, we should have that design in front of us, which will trigger the decision to move forward with the construction or the work we have to do this coming summer.

Mr. Elias: The minister touched on a lot of issues here, and that also sparks a lot of questions. I did not know the conceptual design for the upgrade of the community water well was scheduled to be due by the end of this month.

I'm hoping that the department is going to be conducting some public meetings, information sessions and consultation with the citizens of Old Crow immediately after receiving that conceptual design to talk it over with the constituents and listen to their issues and concerns about that conceptual design because the last idea I heard about trenching the water from where the water truck is stored — trenching a pipe from there

as a holding tank to mix the chlorine inside the holding tank so that the chlorine mixes with the water a longer time — wasn't considered to be a good idea. I hope that some public information sessions and consultation will happen as soon as that conceptual design and plan comes out with regard to the Old Crow water well upgrade because, again, this is a priority and my constituents are concerned about it.

The minister also mentioned the landfill and I noticed in the supplementary budget, with regard to the sewage treatment, that there has been \$150,000 taken out of the budget with regard to the Old Crow sewage treatment.

The landfill needs to get moved, basically. It has run out of real estate there. It's in contravention of so many clauses in various numbers of acts that this place needs to be moved. I understand that it's recognized in the integrated sustainability community plan and in the capital plan that they actually move the landfill site away from the Porcupine River because there is hazardous waste and other things there and sometimes it is just a mini natural disaster of the first order, to tell you the truth, because it's just not well managed in the eyes of many of my constituents and me.

With regard to the landslides, we had a tremendous amount of rain this summer and some of those landslides were very large landslides and they just missed some residences that were built close to the hill north of the main community. When I toured those landslides, I noticed a couple of things: that where the FireSmart program happened, those were the sites that actually slid. So naturally the people of Old Crow suggested that the cutting of the trees on those side hills for the FireSmart program contributed to the landslides.

We appreciate all the FireSmart money we get in Old Crow, and it has done a lot of good, but I'm just making a remark heard from many of the constituents, that the FireSmart program might have gone too far up the hill and it didn't retain enough of the rainwater, which contributed to the landslides.

The minister also mentioned the ditching and culverts and resurfacing of the roads and getting rid of the standing water around the community. I would like to thank the officials in the department for communicating in an excellent way with my constituents. I know this has been a long-standing issue. I think one of the very first issues back in 2006 that came to me as the new Member of the Legislative Assembly for the Vuntut Gwitchin riding was the issue of resurfacing of the roads and dealing with the standing water, especially in the spring, in the ditch and the culverts.

So there has been a tremendous amount of work by the community, by the First Nation, and by the minister's department. Thank you to everybody because it's good to see that this is being dealt with.

From the last public meeting I went to with the minister's officials about this issue, I noticed that there has been a large, cleared area on the west side of the Alfred Charlie Old Crow Airport runway. I'm just assuming that's the place to store the gravel for the resurfacing of the roads — I'm not sure. With that specific issue, has a decision been made about where the gravel for the resurfacing of the roads is going to be extracted? There were two ideas — one was from the reserves from the

mountain gravel quarry and the other option was just down-river, about two and one-half kilometres on the south side of the river, gathering river rock.

I would like to know if a decision has been made about that. I know I have been asking a lot of questions here, and I hope that the minister can touch on everything that he touched on.

This solid-waste facility in Old Crow needs to get dealt with. Hopefully, there can be a winter road pushed into Old Crow this winter — some time in early March, I hope, if we have a good winter and there's enough snow, and his department pays for the winter road. I see the minister smiling in agreement. A winter road would help alleviate some of the concerns about the waste in that landfill site — the metal and the fridges and the stoves and the industrial waste and the car batteries, et cetera — waste oil and things like that. That might help alleviate some of the issues with regard to the landfill site in my community of Old Crow.

So if the minister can rise and discuss all of those specific issues and get into some level of detail with regard to some of the public money he's spending in my isolated northern community, then I can have a detailed, in-depth discussion with my constituents over the next coming weeks. Thank you.

Hon. Mr. Lang: Was that in-depth conversation? There is a large investment going into Old Crow and it's needed. I look forward to having a lot of this work done. As far as the gravel is concerned, I'm told the gravel is from the Porcupine River gravel bar, expected to start in February 2011. That is all being done by Porcupine Construction. Where they're going to store it, I don't know. That's up to them. I don't know. It's just coming from the gravel bar.

When I was in Old Crow, it always came from the mouth of the Crow River. I'm not sure if that's where it is. Obviously, there are permitting issues here. There are things that people have to go through. So, what I'm saying to you is that's what I'm told. As far as storing the gravel, I don't know where it's going to be stored.

Going back to the well, the conceptual design is the first step in building the facility for the well. Then we have to work a detailed design and engineering has to be done, and then we need permitting — we need to be permitted to do it — and then the construction, so there are more steps to be done. I remind the member opposite, all of this is done in conjunction with the First Nation, so as far as consultation is concerned, we keep the First Nation very much aware of the progress we're making on all of these issues. Those issues are how this process will unfold.

As far as the other work that's being done, I have to remind the House that Old Crow is no different from any of our other Yukon communities. This government is committed to ensure Yukoners have access to safe and sustainable drinking water. We have upgraded and invested more money in access to drinking water, potable water, than any other government has ever done in the history of the Yukon and that's partially because we've had the resources, but partially because of the regulations. We have invested resources on the ground in every

one of our communities, so Old Crow is not being treated any differently from any other community.

The solid waste in Old Crow poses challenges — and again, we're working in conjunction with the First Nation — in terms of maintaining the landfill in an environmentally responsible manner. In addressing the issue of the landfill — I know the landfill and where it's at — I agree with the member opposite that it is in an area that is time-expired. It's very vulnerable to flooding, to subsurface water issues, so those kinds of responsibilities have to be addressed to modernize it.

We are working with the First Nation, where there are options under consideration, including moving the landfill — that's one option — and a waste energy incineration gasification process. We are looking at three or four different options for the landfill. We do agree with the member opposite that it is an urgent thing for the First Nation. They have put that high on the list and we are treating that recommendation very seriously.

If you go back to the ditching, culverts and roadwork to mitigate the standing water issues, that has been an issue for many years on how we move the water and where we move it, to get some semblance of sanity to the streets.

In other words, build them up and get them to a standard that is exactly that, so Old Crow has streets that are acceptable and also that we can manage the traffic, but also manage water. Water in Old Crow in the spring and the fall is an issue.

As far as the mudslides are concerned, Mr. Chair, we are working with the First Nation but they are the lead on this. We are certainly giving all the help we're asked for, but they certainly are taking the lead on it and doing what their consultants and their individual recommendations are. We do support that, but I remind the member, it isn't our lead on that.

Again, all of the things we do in Old Crow are in partnership with the First Nation because of the nature of where we're at. So the First Nation is kept abreast of everything that we're doing as the Department of Community Services and they've been stellar partners. We've had a great working relationship with them for a very long time. Certainly we look forward to having that continue.

A lot of the investments that are being put into Old Crow today are investments that the community needs, but a lot of it is stuff that should have been done a long time ago. We are moving forward with the solid-waste management plan for Old Crow in conjunction with the local government, the First Nation government; the potable water has been a question that we've had for many years; we're going to move forward. It's very important to get the extra keys there to do the right thing.

In saying that, seeing the time, I would move that we report progress.

Chair: It has been moved by Mr. Lang that we report progress.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 22, *Second Appropriation Act, 2010-11*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.

The following Sessional Paper was tabled November 4, 2010:

10-1-183

Appointments to Major Government Boards and Committees, Standing Committee on: Sixteenth Report (dated November 4, 2010) (Taylor)

The following document was filed November 4, 2010:

10-1-164

Health Care Insurance Programs: Statement of Revenue and Expenditures for Fiscal Years 2000/01 to 2009/10 (Hart)