

**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, February 21, 2011 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

**In recognition of the Teslin Tlingit Council
*Administration of Justice Agreement***

Hon. Mr. Fentie: Mr. Speaker, I rise today on behalf of the House to pay tribute to the Teslin Tlingit Council and to Teslin Tlingit citizens for the signing of the *Administration of Justice Agreement*.

I'm very pleased to advise the House of the signing earlier today of a historic agreement, the *Administration of Justice Agreement* among the Yukon government, the federal government and the Teslin Tlingit Council. This signing marks a significant milestone in the evolution of self-government in Yukon, as this agreement is the first formal tripartite agreement on the administration of justice among the federal government, a province or territory and a self-governing First Nation in Canada. Finalizing an agreement that all three parties could endorse has been a long process. Negotiations between the three governments toward this agreement were first started shortly after Teslin Tlingit Council's final and self-government agreements came into effect in 1995.

With this agreement, the Teslin Tlingit Council assumes greater responsibility for an area of jurisdiction important to it in a manner consistent with traditional Teslin Tlingit beliefs and values. This *Administration of Justice Agreement* provides for a culturally relevant Teslin Tlingit Council justice system based on the clan process for decision-making and resolving disputes. It also provides for the establishment of a peacemaker court to adjudicate violations of Teslin Tlingit Council laws. Taking on this kind of responsibility is exactly what the parties had in mind when they negotiated the self-government agreement so many years ago.

The signing of this agreement sets in place a process for the parties to work together for many years to come. I would like to invite all members to join me in acknowledging the hard work of the officials and negotiators from all three governments who worked long and hard toward concluding this historic agreement that was signed in Teslin this morning.

Thank you, Mr. Speaker.

Mr. Mitchell: On behalf of the Official Opposition and the Third Party, I would just like to also rise and pay tribute to the Teslin Tlingit Council and their partners in Yukon

and Canada on signing a historic agreement today to administer justice.

Mr. Speaker, this is indeed a momentous occasion and a historic day. The Teslin Tlingit Council *Administration of Justice Agreement* is the first such agreement; it is the first such agreement to come into effect in Yukon and in Canada. It is historic that this agreement will apply not only to First Nation citizens, but also to non-First Nation citizens when on Teslin Tlingit Council settlement land. This is a very important step in the self-government agreement process.

Under its self-government agreements, the Teslin Tlingit Council will be able to enact laws in the areas of jurisdiction outlined in the self-government agreements, including adoption, inheritance, wills, solemnization of marriage, management, control and protection of settlement lands, rights and interest on settlement lands, natural resources and a number of other important areas.

We in the Official Opposition and the Third Party congratulate the Teslin Tlingit Council and Chief Peter Johnston and his council on this very important achievement. Günilshish.

In recognition of World Day of Social Justice

Mr. Cardiff: I rise on behalf of the Legislative Assembly to pay tribute to United Nations World Day of Social Justice, recognized on February 20 each year.

This is a timely tribute, as we watch governments and autocrats in the Middle East become threatened or even eliminated. Enormous change is happening in our time. These are historic times that will affect the future of the entire world. They will be analyzed and remembered for years to come. The protest actions, mostly by youth, are not simply expressing long-standing frustration about bad economies, unemployment and elite power.

The protests we are witnessing call on us to define what we mean by democracy. As we have seen in many African, South American and Caribbean countries, democracy is not just being able to fill in a ballot. A vital part of democracy is the ability to vote, but the ability to vote does not alone make democracy. Neither can we equate capitalism with democracy after the Chinese experience of the last decade. Democracy must be accompanied by a foundation in social justice. The United Nations' Secretary-General Ban Ki-moon's message for 2011 World Day of Social Justice says that social justice must encompass equal opportunity, solidarity, and a respect for human rights. It is only then that we unlock the full, productive potential of nations and of peoples. Human dignity demands that we respond to the needs of populations most in need of economic and social inclusion.

In Canada we support the principles of social justice when we promote gender equality or the rights of indigenous peoples and immigrants. We promote social justice when we remove barriers that people face because of age, gender, race, ethnicity, religion, culture or disability. Social justice is the foundation for national stability, development and global prosperity. For a truly inclusive society, we must start with social justice in all our actions, whether they are personal or professional.

Speaker: Are there any further tributes?
Introduction of visitors.
Returns or documents for tabling.

TABLING RETURNS AND DOCUMENTS

Mr. Mitchell: I have for tabling today a report by the housing task force of the Yukon Anti-Poverty Coalition, entitled *A Home for Everyone: A Housing Action Plan for Whitehorse*.

Speaker: Are there any further documents for tabling?
Any reports of committees?

REPORTS OF COMMITTEES

Hon. Ms. Taylor: I have for tabling the 17th report of the Standing Committee on Appointments to Major Government Boards and Committees.

Speaker: Thank you. 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

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

THAT this House urges the Government of Yukon to work with Yukon firefighters and the Yukon Workers' Compensation Health and Safety Board in drafting and bringing forward legislation by the end of the current spring sitting that will:

- (1) recognize presumptive cancer and other occupational-related ailments specific to firefighting as work-related;
- (2) draw from current presumptive legislation from other provinces, such as Manitoba, that recognize the link between occupational disease and firefighting;
- (3) ensure Yukon firefighters diagnosed with work related cancers are properly covered by Yukon Workers' Compensation; and
- (4) include educational components to increase awareness of illnesses caused by fighting fires.

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

THAT this House urges the Yukon government to recognize that social inclusion begins with housing, and to fill identified gaps in housing as recommended in the Yukon Anti-Poverty Coalition's report, *A Home for Everyone: A Housing Action Plan for Whitehorse*, by making the following a priority:

- (1) emergency shelter;
- (2) transitional housing;
- (3) housing with long-term support;
- (4) rental accommodation; and
- (5) affordable home ownership.

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

THAT it is the opinion of this House that Yukon health care providers, including staff of the Department of Health and Social Services, from senior managers to front-line employees,

deserve our thanks for making the Yukon's health care system second to none.

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: Watson Lake hospital

Mr. Mitchell: Last week the Auditor General of Canada criticized this government for its failure to complete proper business plans before starting projects. This is nothing new for the Auditor General or for this government. In a 2007 report, she said, "...we did not find any documented project plans that clearly set out a strategy and course of action for completing a project..." Four years later, nothing has changed.

On Friday the Premier finally explained the business case for the new Watson Lake hospital. He said, quote: "The other night, a few weeks ago, I was in Watson Lake and there were five patients admitted." I think that's a business case in itself.

Beyond the Premier driving by the hospital to see how many cars are in the parking lot, will the minister explain what business case was completed before the decision was made to spend \$25 million on this hospital upgrade?

Hon. Mr. Fentie: Mr. Speaker, the Yukon Party government is very pleased with the Liberal position on this matter, considering the community of Watson Lake and surrounding areas had a hospital — a functioning hospital — since the late 1970s. The decision this government made was based on the historical evidence of that hospital's functions in the community and surrounding area and all that transpired in it, and where we want to lead this territory into the future, which includes health care at home in your community. It wasn't a very difficult decision to make to renew the hospital facility in Watson Lake. As far as driving by the hospital, let me remind the Liberal leader that I was actually in the hospital visiting someone at the time.

Mr. Mitchell: Mr. Speaker, the Premier has once again avoided answering the question. We have been asking for a number of years for any proof that the government actually did an analysis to determine what level of health facility was needed in Watson Lake. The Health minister and the Premier have failed to produce one.

All we have for justification from this government is the Premier driving around Watson Lake, counting cars in the parking lot and visiting the hospital. As the Premier has said in his budget speech, "If this isn't good fiscal management, I don't know what is."

The Auditor General gave this government some good financial advice four years ago — when you build something, make sure there is a good business case and a good plan before you start.

In the case of the Watson Lake hospital being a \$25-million facility, this government did neither. Why did the minister ignore the good advice of the Auditor General of Canada?

Hon. Mr. Fentie: Mr. Speaker, this government has never ignored the opinion of the Auditor General, and that's

why we have been so successful in many areas with the Auditor General's office, in terms of our financial position and other matters the Auditor General has reported on and provided insights on how government can be even more efficient in delivering programs and services to Yukoners.

Let's talk about the Liberal business case for health care in the community of Watson Lake and surrounding area: no hospital. If there are five patients who have to be admitted to a hospital, the Liberals don't know where they would go; maybe they would drive around on the street, as the member is suggesting that others do.

So further to that point: our business case is the health care needs of Yukoners; in this case, the health care needs of the people of Watson Lake and surrounding area, and we'll stand and defend that decision any day of the week, whether we're driving around the hospital or are in it ourselves.

Mr. Mitchell: The Premier not only can't produce the business case, but he doesn't understand the positions that are explained to him by the parties opposite.

Now, Yukoners found out on Friday how this government makes capital spending decisions. The Premier drives around and counts cars in parking lots, then he does a bed check, and he says, "I think that's a business case in itself." Maybe the Member for Klondike took a drive around the health centre and counted cars in Dawson and then said, "We need a hospital too."

This government is borrowing \$50 million in order to build these two new facilities. The decision to proceed and build facilities of this scope was not made on any business case, and the Premier has admitted that. Why does the Minister of Health think that borrowing \$50 million to build these hospitals, with no business plan, is a good idea?

Hon. Mr. Fentie: Well, Mr. Speaker, the business case is the health care needs of citizens in this territory, and the Yukon Party government is all about meeting those needs — not, as the Liberals have demonstrated, ignoring those needs completely. They oppose this, and we know it, and that's up to them to explain to the citizens of Watson Lake and surrounding area why, after three decades, those citizens had access to a hospital that had acute care programs, some respite, some palliative — Mr. Speaker, the list goes on.

Many traumatic accidents were dealt with in that hospital. There were even children born in that hospital. The Yukon Party government's business case is meeting health care needs of Yukoners wherever they may be. The Liberals' position is ignoring those needs completely.

Question re: Firefighter health benefits

Mr. Mitchell: Every time firefighters respond to a fire they risk their lives for their fellow Yukoners. The immediate dangers they face may seem obvious, but what's not so obvious are the hazardous fumes and materials that they are exposed to on a daily basis. It's true that firefighters are provided with protective gear, but the reality is that the gear can't keep up with the increasing potency and quantity of these environmental toxins.

The International Association of Firefighters and the Whitehorse Firefighters Association met with the Workers'

Compensation Board in the summer of 2009 — two years ago — to discuss this issue. They wanted legislation at that time that would ensure that Yukon firefighters would have cancer covered as a work-related illness. Apparently, the government is now working on that legislation. Why has it taken almost two years for this government to respond to this concern?

Hon. Mr. Hart: For the member opposite, we have had several consultations with the affected stakeholders on proposed legislation and the regulations. In fact, we had looked at preparing legislation to come forth to the Legislative Assembly this spring, based on the consultation that we had with the association. However, there were some last-minute adjustments that were put forth and we are again looking and working with the IAFF to further our consultation to ensure that we get good, qualitative legislation and regulations to ensure the safety of all firefighters.

Mr. Mitchell: By 2009, seven provinces had passed presumptive legislation that recognized the link between occupational disease and firefighting. This Yukon Party government should have stepped up to the plate on this issue two years ago. It's something that I'm sure all members of this House would have supported. But it's not too late if, as the minister said, they're almost ready. In 2009, it was recommended that the Yukon government should replicate Manitoba's model of coverage, as it was the most up-to-date legislation.

If this recommendation had been followed, it would have taken very little time for the legislation to be amended to cover Yukon firefighters. When is this government planning to pass presumptive legislation to help Yukon firefighters?

Hon. Mr. Hart: As I just stated, we had been in direct consultation with the IAFF on this issue based on the presumptive legislation passed in the other seven jurisdictions. However, new amendments have been put forth by IAFF and we are in consultation with that group. We intend to work with them in the very near future to ensure that we get good legislation for our firefighters.

Mr. Mitchell: The Auditor General has said this government doesn't set priorities, and here we have yet another example. It hasn't been a priority for nine years. It has taken this government almost two years to make the simple changes to existing legislation that could have helped Yukon firefighters, both career and volunteer — two years that Yukon firefighters could have been covered, but weren't and still aren't.

There's talk, and the minister says that legislation will be ready soon, but we'll be having a territorial election sometime between now and fall. The sitting we are currently in is likely the last one before an election.

Will this government bring forward legislation before the end of this sitting? The members on this side will grant consent to do so.

Hon. Mr. Hart: Mr. Speaker, again, I will state that we are in negotiations and consultations with the IAFF on legislation for the Yukon. We had prepared legislation based on other jurisdictions, but it was considered inadequate by the IAFF, so we are working with them. When that consultation is complete, when we have the legislation ready, it will be

brought forward to the House to ensure, again, the safety of all our firefighters.

Question re: Housing task force report

Mr. Cardiff: Mr. Speaker, today we are in receipt of the Yukon Anti-Poverty Coalition housing task force report, *A Home for Everyone: A Housing Action Plan for Whitehorse*. In the report, they say that in the fall of 2008, “The desperate stories of people trying to find adequate housing grew deafening.” That was in 2008. We are now two and a half years past that date, and we are in a worse housing crisis. This excellent report draws together the overall picture of housing in Whitehorse and identifies the gaps and the barriers involved to finding adequate housing. It covers, in detail, emergency shelter, transitional housing, housing with long-term support, rental housing and affordable home ownership.

Will the minister responsible for Yukon Housing Corporation tell us his response to this report?

Hon. Mr. Kenyon: Having just received it hours ago, the Yukon Housing Corporation is going over that and digesting it. I do remind the member opposite, however, that in identifying over the last couple years the groups of the largest need — particularly, at that point, seniors. Of course, as we build more seniors housing, there is a cascade effect of people moving into the areas that the seniors have moved out of to go into the senior-specific housing. We have increased our social housing portfolio by 40 percent. That’s in contrast to previous Liberal and NDP governments that did not build one single, solitary unit. A 40-percent increase — I believe at this point we have slightly over 600 units available. So it’s a start. It’s a good start.

Mr. Cardiff: Well, this report has a well-thought-out strategy for immediate and long-term actions by the minister and his government, and they must pay attention to this. Some of the needs identified are for future consideration, but some, like Kaushee’s second-stage housing and the Northern City Supportive Housing Coalition project, have been waiting for a response from this government for far too long. The Auditor General gave recommendations a year ago for analysis, strategic planning and action on social housing needs in Whitehorse.

The Housing First approach to social inclusion emphasizes the importance of establishing stable housing before addressing addictions, mental health or other social conditions.

When will the minister give a definitive response to the proposals that have been long in waiting and to the Auditor General’s report?

Hon. Mr. Kenyon: For the member opposite, the Yukon Housing Corporation is, as we speak, looking at alternatives for second-stage housing and looking at locations. As the location is identified, we will be proceeding with that.

In terms of the Northern City’s proposal that the member has mentioned, I should correct the record that I believe I mispoke in the House a few days ago and thought that had been given provisional approval; in fact, it’s the Options for Independence proposal that was given provisional approval, pending some details.

In terms of Northern City, the Housing Corporation has requested that the Department of Health and Social Services do

a detailed analysis and business case. To date, we have not heard from that department; they are still doing their good work and we do hope that we can come to some conclusions in the near future.

Mr. Cardiff: Well, when it comes to location, there are a number of locations that come to my mind and I even offered to assist the Minister of Justice in finding some of those locations for second-stage housing.

This is not another report that you can just put on the shelf. According to the Yukon Bureau of Statistics, in December 2010 the vacancy rate for rental accommodations was 1.3 percent. The wait-list for Yukon housing currently sits at 142. Grey Mountain Housing has an additional 80 First Nation families on its wait-list. The Salvation Army emergency shelter is being used as housing. We were told to prepare for an increase in economic activity and housing for new workers is either unaffordable or inadequate or it can’t be found at all. When can we expect a serious approach to the desperate housing needs not only in Whitehorse, but in rural communities as well?

Hon. Mr. Kenyon: The Housing Corporation will be reviewing, analyzing and digesting that report, which on first read does appear to be well thought out. Again, we need to identify groups of most need, such as the seniors in the first analysis, and now that we’ve dealt to a large degree — not completely, but to a large degree — and we’ll continue with Abbeyfield and these sorts of facilities that are on the drawing board — we then have to move on to other groups. Again, in terms of Northern City’s, which the member opposite has mentioned, that was sent in June 2010 to Health and Social Services due to insufficient information with which to evaluate it.

They are doing that review and they are working with Health and Social Services, not only on building it, but operating it — and the expenses of operating it, which is the other part of the plan — and ensuring that Yukoners get their best value for dollar. That’s also our main thought on that. It’s very easy to stand up and claim that we can throw money at something and solve it, but is it a good case? Is it a good use of the funds? That’s something that we still have to determine, and we don’t have that information in at this point.

Question re: Mayo B project

Mr. Cardiff: To finance the Mayo B hydroelectric project, Yukon Development Corporation went to the bond market for \$100 million in financing. On Thursday, during their appearance, the CEO of the Development Corporation outlined who would be repaying the bondholders. \$47.5 million would come from Yukon Energy revenues while the remainder, \$52.5 million, would come from the Yukon government. We have been through the budget documents and we can’t see one nickel of the \$52.5 million Yukon taxpayers are on the hook for recorded in the budget documents as a liability. Can the Premier tell me where in the budget is this \$52.5-million liability?

Hon. Mr. Fentie: If the member opposite cared to pay attention to the public accounts, all fiscal matters, duly audited, would be before the member. In this particular case, first and foremost we have to recognize that this is a normal transaction between a shareholder and its Crown corporation, and that is what’s happening. The Yukon government has been very clear

in its support of its Crown corporation — in this case the Development Corporation. If the member cared to look in the budget document, he will see clearly that, once again, we are using that standard practice of notification of possible further expenditure coming during the course of a fiscal year. In this case, it's with the Development Corporation, and it's on page 18-2.

Mr. Cardiff: The Premier has hung his hat on the public sector accounting standards that say you book the liability in the year that it was incurred. I've heard him say that many times. It appears to us, from the comments of the CEO, that Yukon taxpayers are on the hook for \$52.5 million, and that's a liability. But he says they have marked the liability off, probably with the traditional \$1, but it's actually \$52.5 million. It's almost like a shell game — moving the money around here.

Why is the government —

Unparliamentary language

Speaker: Member for Mount Lorne, we've ruled that term out of order several times in the past, so just respect that ruling. The Member for Mount Lorne has the floor.

Mr. Cardiff: I won't use that term any more. Why is the government not using, in this case, the public sector accounting standards, which are generally accepted in the case of the financing of the Mayo B project, and allowing this \$52.5-million liability to go unrecorded?

Hon. Mr. Fentie: For the Third Party member, that's exactly what is being used. All public sector accounting guidelines — that's the point. So if the member has an issue with the fact that there are times during the course of any fiscal year that the government may not have to assist its Development Corporation, he should stand up and say so. But I think the CEO was very clear and the witnesses were very clear that the government is supporting its Crown corporation when, and if, it is necessary. The bottom line here is that we are able to invest this kind of investment into infrastructure for Yukon, not only for the benefit of Yukoners today but long into the future. That encouraged the federal government to also contribute a sizable investment into this project.

So, yes, we are using public sector accounting guidelines, as we are required to. All of our consolidated accounts and public accounts are duly audited and presented in public through this Legislature.

Mr. Cardiff: Well, we talked last week about the Premier deflecting questions and not answering them. We have two years of deficits that have eroded the public's confidence in the Yukon Party as strong fiscal managers. Their announcement of a surplus for the fiscal year 2011-12 of \$38.5 million was met with disbelief. It's a phantom surplus, built on unrealistic projections like declining O&M costs. Now we see they haven't accounted for the \$52.5-million contribution to the Yukon Development Corporation and the phantom surplus looks even shakier.

When does the Premier intend to record this \$52.5-million liability on the books — before or after an election?

Hon. Mr. Fentie: You know, Mr. Speaker, this member is really on the borderline of what is totally unacceptable in

this House at the inferences of the practices of our Development Corporation, Department of Finance and now even the Auditor General's office itself and the functions of the office.

The member opposite has suggested that we have neglected to book some sort of liability. Well, here's a newsflash for the member of the Third Party — there's no such thing. All liabilities have been booked; all estimates have been booked. The member says that we have a declining O&M. I challenge the member to look at the budget documents, mains to mains. It's a good thing that the NDP and the Liberals in this House are not managing the finances of this territory. Not only would we be broke, we would be going backward.

The Yukon Party government has built what is substantially the envy of many in this country. It's called a savings account. We have doubled — more than doubled — the fiscal capacity of this territory. We are the first jurisdiction in Canada and it's being talked about nationally — not by the NDP here, however — that we're the first government to actually table a balanced budget with a savings account — remarkable accomplishments through Yukon Party fiscal management.

Question re: Palliative care program

Mr. Inverarity: I have a question for the Minister of Health and Social Services. This year, seven out of 10 Canadians will die without access to palliative care. The demand for palliative care in Canada is steadily growing with our aging population, yet we are not moving to provide these services to meet the demand.

Enabling Canadians to die at home in the care of loved ones can allow for a much more dignified death. Currently in the Yukon, palliative care is funded under the territorial health access fund, which we know will run out in 2012. My question is, how does the minister plan to deal with the looming funding shortfall for the Yukon palliative care program?

Hon. Mr. Hart: I thank the member opposite for the question. Palliative care, as he has stated, is a program that was identified and put together through this government under the THAF funding. That funding has been extended to 2012. We fully expect that funding will be carried on to 2014, when all the jurisdictions in Canada's health care funding will come due on March 31, 2014.

However, for the member opposite, we fully intend to carry on with the palliative care unit throughout the Yukon in its present form, as it does provide a valuable service.

Mr. Inverarity: Just for information, we're going to have a dramatic increase in the demand for palliative care over the next 10 years. With our aging population, it's expected that, across Canada, we'll go from 250,000 deaths per year to over 400,000 deaths annually. If we don't know how to build for these services, this would mean that palliative care would be available to even fewer Canadians.

The Yukon's current palliative care program is set to expire in 2012. I hear encouraging words from the minister opposite that it may go to 2014. Yukoners and their families have come to depend on this palliative care program being available. Is the government prepared to commit to extend this program to 2014, until the program has been fully analyzed nationally?

Hon. Mr. Hart: With regard to palliative care, as the member opposite has stated, the program is a situation in Canada that all jurisdictions are facing. We have an aging population throughout Canada, not just in the Yukon. This issue with regard to palliative care is an issue that's prevalent through all jurisdictions in Canada, not just in the Yukon.

We are looking at maintaining the facility that we have for palliative care that takes care of usage throughout the Yukon. We intend to stand behind the program under THAF and provide the funding through that process to ensure that the services are provided through our health program.

Question re: Whistle-blower legislation

Mr. Inverarity: The Select Committee on Whistle-blower Protection was to assess the central issues and gather views about what should be included in whistle-blower legislation. To this end, the committee has to be commended for its excellent work. The first central issue put forward by the committee was how inclusive should whistle-blower protection be? Based on the recommendation provided by the select committee, we believe that all Yukoners should be protected. Our commitment to protect all Yukoners is reflected in Bill No. 112, *Disclosure Protection Act*, which we tabled in this sitting a little earlier. So does the minister responsible for the Public Service Commission believe that all Yukoners should be covered by whistle-blower legislation?

Hon. Ms. Taylor: As the member opposite has just outlined for all of us in the Legislature here today, the issue of whistle-blower protection is a matter that is before the select committee, comprised of representatives from all the respective parties in the Legislature. We commend the work done by the select committee thus far; there is more work to be done. However, to the best of my knowledge, there has not been a final report tabled by the select committee. We look forward to the recommendations.

In the meantime, we as the Government of Yukon, as an employer, remain committed to upholding our various avenues to resolve disputes and to participating fully as required in their respective resolution.

Mr. Inverarity: Mr. Speaker, we believe that it's too late for the committee. They have only met once in the past year, and if they were going to deliver a final report, they should have done so by now. A lot of work has been done preparing submissions in response to the committee's identified central issues. This work should not go to waste. The Select Committee on Whistle-blower Protection identified nine central issues that should be included in the legislation. The first issue is, and I quote: "Should all public institutions and private organizations performing public functions be covered by whistle-blower protection legislation?"

We say yes, all Yukoners should be protected. We are asking the minister if she believes that all Yukoners should be protected by this legislation as well.

Hon. Ms. Taylor: That is really a matter to ask of the select committee, of which the member opposite is a member. Again, I would point the question to the select committee, comprised of representation from all the political parties represented here in the Legislature.

The member opposite is quite correct in that the select committee was asked to determine a whole host of various questions, including whether only employees or others can use such legislation; what types of wrongdoing will be covered; whether the same office will conduct investigations, mediation and the protection of whistle-blowers; whether employees will have to exhaust departmental procedures before approaching the whistle-blower protection office.

Mr. Speaker, these are just examples of the mandate that was provided to the select committee and was made by the select committee. We look forward to receiving the final recommendations of the select committee and we will move forward as a government.

Mr. Inverarity: As previously mentioned, the Select Committee on Whistle-blower Protection has had five years to complete their work and we're not waiting any longer; whistle-blower protection is needed. We reviewed the work that was done by the committee. We followed the submitted recommendations and last week we tabled Bill No. 112, *Disclosure Protection Act*. In it are the necessary provisions to protect all Yukoners. A relevant statement put forward to the committee reads as follows: "If one were to consider a distinction between public and private sector whistle-blower rights, there would be one line to draw. We believe all Yukoners should be protected."

Where would the minister draw the line?

Hon. Ms. Taylor: Contrary to what the member opposite — or all members opposite — may choose to believe, this minister works with a multitude of other ministers and members in the Legislature. The task of whether or not whistle-blower protection should come forward by way of legislation, what that legislation should look like, is a matter before the select committee, comprised of representation from all parties within the Legislature.

We look forward to receiving the recommendations. There is yet to be work completed on this particular issue. We commend the work that has been done, but there is remaining work to be completed.

We are committed to working with members opposite in seeing whistle-blower protection. In the meantime, this government remains very much committed to adhering to legislation that we have in place and the collective agreements we have in place, which provide a variety of dispute resolution mechanisms available to employees.

Again, we look forward to receiving the outcome of the select committee.

Speaker: The time for Question Period has now elapsed. We'll 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. 23, *Third Appropriation Act, 2010-11*. We are now in general debate in Health and Social 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. 23: *Third Appropriation Act, 2010-11* — continued

Chair: The matter before the Committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now continue with general debate in Vote 15, Department of Health and Social Services.

Department of Health and Social Services — continued

Hon. Mr. Hart: When we left off last Thursday afternoon, the Leader of the Official Opposition had asked about what we were doing regarding the 2014 negotiations. I would like to now provide him with a briefing that the premiers at the Council of the Federation last year made plans for follow-up. Manitoba's Premier Selinger, chair of Council of the Federation, will send a letter to the chair of the P/T health ministers on this item. The Yukon worked with him on the draft and, in short, Council of the Federation decisions were that B.C., Ontario, Nova Scotia and the Yukon are to lead on the COF follow-up pertaining to the health decisions.

Premiers indicated that lead jurisdictions must convey to all P/Ts that the premiers sense an urgency to act. B.C. will chair the next COF meeting on July 20 to 22 of next year. The progress on outcomes will be reviewed by the premiers at this meeting. This was also discussed at the September 13 health ministers meeting.

Yukon's interest in being involved is twofold. At the northern premiers meeting in May of this year, it was decided that Premier Fentie will play a leadership role on this file and bring the northern perspective in the discussions. The Premier would also like the Yukon to provide some leadership at the P/T level, given his involvement and experience during the last round of negotiations.

The premiers agreed to establish a pan-Canadian purchasing alliance for public sector procurement of common drugs and medical supplies and equipment. The P/T lead group believes that, although some provinces and territories do not want to be part of the purchasing alliance, work should still proceed with the willing jurisdictions.

A focus on a selected number of new drugs, which are likely to have a very high cost, supplies and equipment, could be one of the practical approaches to follow. This was an initiative brought forth to the COF by Ontario and to the western premiers conference by British Columbia, so those two jurisdictions will take the lead on these items.

Premiers directed their health ministers to work with health care experts to share and collaborate on clinical practice guidelines, evidence-based standards and best practices that can assist to ensure the most appropriate treatments are used to improve patient outcomes. Ontario has specific examples of clinical practice guidelines they are proposing at the start of this discussion.

Premiers also directed health ministers to collaborate with Finance ministers on a critical path in the review of transfers, notably the Canadian health transfer.

Deputy ministers have already had meetings plus teleconferences around the development of the strategy. DMs of Finance and Health and other three lead jurisdictions have been briefed on this as well, and there is a plan to coordinate a joint meeting. In the Yukon's view, the argument with the federal government for their continued and enhanced participation in health care rests on seven elemental points: an appeal to nation building, fallacy of tax point transfers as a solution, the constitutional basis for continued and fair federal participation in health care, the abandonment of meaningful federal participation in relative health care fields, the economic argument, and the implications of the federal withdrawal of flat-line support which, in many respects, amounts to the same thing from the field and demonstrating our own due diligence with regard to the continuing of health care for all Yukoners.

Mr. Mitchell: I want to thank the minister for providing that information. It is indeed interesting and informative to hear where those negotiations are at and to hear that they will resume in July of 2011 at the Council of the Federation with Yukon playing a key role in that, so I do appreciate that information.

Speaking of the THAF funding and the eventual need to make permanent some level of funding in the new agreement among all of the provinces and territories in Canada — we've discussed mental health; we've discussed palliative care in Question Period, where I believe I heard the minister indicate that the funding is expected to carry forward at least until 2014. I would ask the minister, when he next responds, if he is also making the commitment beyond that, regardless of whether the special funding is provided. Will he assure us that the palliative care programs will carry forward?

There was also money, I believe, under the THAF a few years ago, regarding patient wait times for various procedures. There has been one case I know the minister will be familiar with. It was in the media over the last few days about a Yukoner waiting for two years for hip replacement surgery. Is this anecdotal information — is it an outlier, so to speak? Or can the minister provide us with an update on where Yukon is with wait times for hip replacement, knee replacement — these various orthopedic surgeries — some of which are done in

Yukon and some of which Yukoners go Outside for, along with the other markers, so to speak?

I think one of them had been mammography. There had been a number of them over the years that Yukon was involved with. I'm wondering how we are doing on those scales compared to our peers in other provinces.

Hon. Mr. Hart: With regard to palliative care, this has now been deemed as a very important program that was originally established under THAF. We feel that it is an essential program that should be continued. Of course, we anticipate that with the extension of the program, or continuing process of the federal government involved in health care, we would insist that this program will form a permanent part of the Yukon's health care facility. Of course, again, that's also dependent on the assurance that we do get federal funding and that federal funding is provided along the same lines to ensure that we do get the same kind of health care that our southern brethren get.

With regard to dealing with the wait times that the member opposite discussed with regard to hip surgery, I wish to advise that regarding hip surgery in Yukon, there is no limit. We don't have a holdback for anyone wanting hip surgery; however, hip surgery is not performed in the Yukon. It is primarily performed in British Columbia and, of course, we are at the mercy of their timeline of getting in.

Currently I have been advised that our wait times for hip surgery are roughly nine months. Again, I will state that, in all cases with regard to surgery, emergency surgery is done and takes priority over the waiting list almost without question. It's all based on the surgeon's issue — he determines which are emergency cases. That is to ensure that those who are in the greatest of need get the fastest service available, to ensure their health care.

With regard to knee surgery, we do perform knee surgery in the Yukon. We have a knee surgeon who comes up once a month, and we do provide services for that, along with cataract surgeries that we have advanced substantially here in the Yukon. We are now performing an amazing number of cataract surgeries here locally. It's all being done locally, so we don't have to send people out any more, so there's no inconvenience there, plus they're closer to home after the surgery takes place.

The federal money for wait times is being focused on the mammography program. The member opposite will also be very cognizant of the fact that the Whitehorse General Hospital recently put in a brand new mammography machine — current, up to date, can't get any better. It provides results that do not require the women to go and come back. They can wait for their information to be taken right here at Whitehorse General Hospital. It's very impressive machinery. I don't know how I can say that because I'm not using it, but it is very modern and, as I said, it seems to be relatively sensitive to the women's needs in this particular case. Nurses assured me that their clients who are going through there are much more relaxed, if you can be relaxed in that situation, but they're very happy with the results of the new mammography machine and so are we.

Mr. Mitchell: Perhaps the minister could just elaborate a little on the response he just provided regarding the out-of-territory surgical procedures. The minister did say, of

course, that emergencies are decided on a as-necessary basis if something is emergency. Then people obviously move pretty far up toward the top of the list. In terms of the non-emergency, such as hip replacements and other orthopedic procedures, for example, that affect ability to work and quality of life but are not necessarily life threatening, how is Yukon — since we are doing these procedures Outside, either in British Columbia or Alberta — how is our position on the wait-list determined? Are we thrown into the mix on an equal basis with the citizens of British Columbia, for example, and then the prioritization is done according to a list that's a combined list, or do we come in through some separate entry point? Sometimes we send people to one jurisdiction versus the other, so could the minister just explain how the wait times for Yukoners are determined on that out-of-territory travel?

Hon. Mr. Hart: For the member opposite, I think I've mentioned in the House several times on several occasions that we have a very good working relationship, especially with the Province of British Columbia's health care program, in providing care for Yukoners who are going to that province to obtain that care. I guess I have to be somewhat delicate on this situation. I would say, in general, when it comes to non-emergency cases, the Yukoners fall into the B.C. queue in that process. That's how it's normally maintained when it comes to the non-emergency cases. On the emergency side or depending upon the variant of the client itself, it's a situation between the client's physician and the surgeon and where they are as far as surgery goes, availability of a bed for the individual and when they themselves are available for that surgery.

Sometimes nine months, or seven months or eight months down the road, when the time comes for the individual, it might not be convenient for that individual to get there. A lot of rehabilitation is required after that surgery so it may affect the individual's job or situation that makes it not viable for them to have that operation at the time. But as I said, generally when it comes to non-emergency cases, we follow into the B.C. queue as far as wait-list times go.

Mr. Mitchell: I thank the minister for his response.

On Thursday, the minister, in his remarks, said, and I quote: "I would like now to speak briefly on the hospital pension fund solvency deficiencies. Funds have been included in this supplementary for this purpose. With respect to the pension fund, the department is currently awaiting new federal legislation that would allow the Yukon Hospital Corporation to obtain a letter of credit from a bank rather than having the Yukon government pay the solvency deficiencies announced each year. The letter would be based on an amount determined by the annual actuary assessment."

Has the Yukon held discussions with OSFI and with the Auditor General of Canada regarding this approach? Where is it in terms of a determination on whether this can be done?

Hon. Mr. Hart: This is being handled through the Deputy Minister of Finance, along with the federal government, because it also relates to issues such as the pension for Yukon College, as well as our own pension.

Mr. Mitchell: There is some \$2.859 million under the heading of social services in the supplementary budget, which

is described as an increase of \$2.8 million for social assistance. The minister said on Thursday that, “Since 2008, we have experienced both a volume increase as well as a rate increase, which together has resulted in increased expenditures.” The minister also said, “It appears we’re also seeing a number of recipients who are new to the territory. Since April 2010 there have been 449 intakes in our Whitehorse social assistance program. Of those new intakes, 107 people are from out of the territory...”

In terms of tracking this, for how long is somebody viewed as being from out of the territory? That is, someone may come up here from another jurisdiction, seeking work; they may work for a period of time or not find work. When the minister says that 107 people are from out of the territory, could the minister elaborate on how they determine that someone is from out of the territory since, once you’re living here, you are a Yukoner, so to speak?

Hon. Mr. Hart: It just explains the increase for this year. That’s the number of new clients we have. As he indicated, next year they’ll be included as Yukon residents.

Mr. Mitchell: The \$350,000 increase for the social inclusion strategy — could the minister elaborate on what that money will be specifically spent?

Hon. Mr. Hart: I’ll just briefly provide the member with the items. It’s basically for staff salaries. It was also for a symposium and for having the appropriate work for these individuals for which to obtain funding and allow for social inclusion to take place as we are moving forward.

Mr. Mitchell: We have talked in the past and we talked briefly on Thursday regarding youth homelessness or youth at risk.

The minister outlined the four beds that are available — refurbished this past year at the Sarah Steele centre — and the process of using Skookum Jim Friendship Centre for intake and referral to the Sarah Steele centre for youth who find themselves without a safe place to call home.

We have debated this quite frequently, so I’ll just ask the minister: does the government currently have any plans to address this situation with a more integrated and permanent solution, or are the plans to continue to use Skookum Jim Friendship Centre as an emergency contact and referral service and then intake over at the Sarah Steele centre — commonly referred to as “detox” — for youth at risk?

Hon. Mr. Hart: I guess I will indicate to the member that, yes, we are working actively with NGOs to deal with the situation, not only of the youth, but for issues as they relate to the intoxicated people and a facility that will be located in downtown Whitehorse.

Mr. Mitchell: Since the minister has opened the door, I’ll walk through it and ask if the minister can provide us with any more information on the plans to locate a sobering centre, a medical detox and perhaps a shelter at a downtown location. The government has indicated publicly — certainly at the news conference that was held back in January when the report on severely intoxicated persons at risk was made public — that they were looking at making new announcements this year on — I don’t know if “solution” is the right word — facilities to

address this health problem in a health care approach, as opposed to a criminal approach, at a downtown location. As we have pointed out to the government and to this minister, we can’t find \$1 in the current budget or in the long-term capital plans to address this. So can the minister provide us with information on how this is to be funded and when we can expect to hear an announcement?

Hon. Mr. Hart: For obvious reasons, it’s important for us to ensure that our partners are onside. It’s important for them — for us to move forward. I will advise the member opposite that we will be providing the general public with a release once we have confirmed with our partners on this issue how we are going to go about dealing with the situation here in the Yukon. We will have to make a business case to go to Management Board with regard to these facilities, again, depending upon what is going to be required. Right now, we don’t know what is going to be required of us because there are several options we are looking at. I don’t particularly want to upset that applecart yet, because of the fact that any announcements could preclude some of our advancement on this subject. I don’t want that to affect any issues as they related to the possibility of facilities located downtown. As the member opposite knows, any location downtown is very expensive.

Mr. Mitchell: I don’t want to be the cause of the minister upsetting any apple carts, but by the same token, those of us who are in contact with numerous NGOs and attend meetings of various organizations that operate in this field, are hearing from those organizations that there is great concern that this has been studied. It has been debated in this House — not only for the past nine years, but in fairness, as I’m sure the minister will point out, under previous governments as well. But I’m not quite prepared to take a complete “Don’t worry, be happy” assurance from the minister without a little bit more detail.

Is the minister prepared to inform this House which non-governmental organizations the government is currently working with on achieving a solution?

Hon. Mr. Hart: As I stated, I think it’s important that we deal with the individual NGOs that we’re discussing this thing with and make sure they’re on side so that prior to any announcement, they are fully aware of what is going on. It’s much the same as calling people individually by their name here in the House without them being here.

As I stated, we’re still in negotiations; we’re still reviewing options. No decision has been made yet. We want to make sure we’re looking at the best option that’s available among the NGOs to ensure we can provide the service and meet many of the conditions, as outlined in many of the reports we received, as they relate to homeless people as well as the youth who require assistance.

Mr. Mitchell: I’ll just let the minister know that we’ll certainly be sitting on the edge of our seats, eagerly awaiting additional news about this topic. There are many more questions I could ask but, in the interest of time, I’ve tried to focus my questions specifically on the supplementary budget, recognizing that we’ll have an opportunity to debate health care in much greater detail when we get to the main estimates. I know the minister is looking forward to that, as am I.

I know the Leader of the Third Party would like to enter into the debate so, with that, I'll thank the officials and I'll thank the minister for his responses and will stand down for now but listen attentively in case the Leader of the Third Party provides me with yet more questions, based on the responses that she hears to hers.

Ms. Hanson: I welcome the opportunity to raise a few questions, and I do want to focus on just the supplementary budget. I do hope that we will have an opportunity to actually address the 2011-12 budget in some detail when we get there, but my preference is that we not have long speeches and that kind of thing, but actually talk to the issues here.

There have been a number of issues addressed already with respect to the supplementary, but I'd like to go back to the issue of the increase of \$3.7 million for physician claims for last year. I have a series of questions with respect to that, and they do fit together for the minister, I hope. I would ask if you could provide some explanation as to the basis for that rate increase. Is it a result of rate increases or negotiated arrangements with physicians, or is it a volume or a price increase here in the first place?

Hon. Mr. Hart: We already have an arrangement with the physicians as it relates to their charge-out to the government. I believe it goes to next year — goes to 2012. The increase is basically due to the increase in physician claims themselves.

Just one more thing: there are also increases in the costs from British Columbia and Alberta that come up to us, as they relate to physician costs.

Ms. Hanson: So, as I understand it then, the increase is largely a volume increase with the exception of those costs associated with British Columbia and Alberta. Could the minister please elaborate on the cost per visit claim for Yukon physicians? So I go see the doctor. What is charged to the Yukon government for that visit?

Hon. Mr. Hart: I don't have the specific number here with us, but we could provide it to the member opposite. Also it depends on the visit, what it's for. For example, a full medical has a different price than just visiting the doctor for a specific option.

Ms. Hanson: I think that's an important piece. I'd like to have that information because one of the things that I'm trying to track and link this to is an assessment. We look at the drastic increase in the number of physician claims, then we look at the report of the Auditor General from last week, and when we tried to make a determination of what we're paying for and then how that links to the types of services we're providing through our health care dollars, I think it's very important to know whether or not we're paying increased numbers of millions of dollars for physician visits for a routine checkup, for blood pressure, prescription renewals. That becomes a vital piece of information when we look at planning our health care. I'm going to ask the minister whether or not his department is in the process, or has embarked on a process, of assessing those physician claims as part of looking at how they're going to implement the expanded scope of practice for nurse practitioners in the Yukon.

We know from experience elsewhere in Canada that the expanded scope of practice that is provided through nurse practitioners offsets the requirements for using skilled physicians — doctors who have acute care medical training — taking away the requirement to use those doctors for the normal day-to-day procedural things that don't really require a doctor. I'm looking to see and hear from the minister how the department plans to both implement and phase in the expanded scope of practice for nurse practitioners. Will that be based on assessment of how they would divert the existing expenditures from physician-based services?

Hon. Mr. Hart: With regard to working with nurse practitioners, for the member opposite, we just passed legislation last year. We are working with all the medical professions currently, on the scope of practice for nurse practitioners. That is underway.

Once that is complete, then that will be presented to us and we will look forward to maximizing the use of these individuals, especially in our rural areas where we feel that we can get our maximum use of these individuals for the services they can provide.

Ms. Hanson: At the core of my question then for the minister: is the department — or has he directed the department to develop the system to assess current physician claims so that you could then identify what elements of the current services that are being provided by physicians could be diverted to the expanded scope of service or nurse practitioners?

Hon. Mr. Hart: Just a quick notice for the member opposite: we have been advised that just a routine visit to the physician is around \$40 to \$50.

We have had an increase of people in the Yukon of approximately 2,000 people. We anticipate that we're working with all the medical profession with regard to the scope of work for nurse practitioners. That is underway currently and once that has been finalized, that review will provide what services can be provided and how it can be provided for the nurse practitioners. We are working with them as well as all the medical professionals involved.

Ms. Hanson: I'd just be interested to see — and I will ask the minister to confirm the rate difference there because I believe in the health care review there was a reference to about \$101 or something, \$100 and something for physician visits, so it would be interesting to see if that has changed over time and, if it has gone down, that's delightful.

I just have one last question with respect to the reference to the last fiscal year because I'm really hopeful we can move forward to the year that's coming up and there's where the main bulk of my questions will be. I wanted to confirm with the minister that the source of funding for the Jackson Lake pilot project — was it Health and Social Services or was it elsewhere?

Hon. Mr. Hart: The majority of the funding was provided through the northern strategy, which is a federal government funding.

We did provide assistance, through Health and Social Services, for this program at Jackson Lake. We are currently working with the Kwanlin Dun on a proposal to be submitted to

Ottawa for a continuation of the Jackson Lake facility on an ongoing basis.

Ms. Hanson: In that case then, I'd be interested in knowing where this project is reported in the budget documents and what stats are associated with it, in terms of participants and related costs.

Hon. Mr. Hart: This was in last year's budget. The funding was provided. We are in the process of doing an evaluation of that pilot project. An evaluation has been provided to us and our due diligence is being completed as we speak.

Ms. Hanson: I would like to then say that I am finished — I think we've all canvassed the issues in the supplementary for Health and Social Services extraordinarily.

Chair: Is there any further general debate? Seeing none, we'll proceed line by line on Vote 15, Department of Health and Social Services.

On Operation and Maintenance Expenditures

On Corporate Services

Corporate Services underexpenditure in the amount of \$13,000 cleared

On Family and Children's Services

Family and Children's Services underexpenditure in the amount of \$127,000 cleared

On Social Services

Social Services in the amount of \$2,859,000 agreed to

On Continuing Care

Continuing Care in the amount of \$9,000 agreed to

On Health Services

Mr. Mitchell: I would just ask for a breakdown to see if we learn anything more from that.

Hon. Mr. Hart: A breakdown consists of an increase of \$7 million required for salary increases. We're also looking at a one-time increase of \$186,000 for the territorial health access fund and a reallocation of \$166,000 for personnel costs within the territorial health access fund.

Health Services in the amount of \$7,907,000 agreed to

On Yukon Hospital Services

Mr. Mitchell: Again, a breakdown, please.

Hon. Mr. Hart: The Hospital Corporation requires additional funding of \$1.019 million to address the pension solvency requirement for 2010-11. We're also looking at a transfer of \$165,000 from the deputy minister's budget to the Yukon Hospital Services budget, as required for a new staff residence complex located on Hospital Road. We're also looking at a decrease of \$320,000, which was required for the Watson Lake hospital funding to recognize revenue generated from Patient Services.

Yukon Hospital Services in the amount of \$864,000 agreed to

On Regional Services

Mr. Mitchell: Again, if the minister could just provide a breakdown.

Hon. Mr. Hart: We are looking at basically \$280,000 required for social assistance grants due to volume increases.

Regional Services in the amount of \$281,000 agreed to

Total Operation and Maintenance Expenditures in the amount of \$11,780,000 agreed to

On Capital Expenditures

Mr. Mitchell: Pursuant to Standing Order 14(3), I request the unanimous consent of Committee of the Whole to deem all remaining lines in Vote 15, Department of Health and Social Services, cleared or carried, as required.

Unanimous consent re deeming all remaining lines in Vote 15, Department of Health and Social Services, cleared or carried

Chair: Mr. Mitchell has requested the unanimous consent of the Committee to deem all remaining lines in Vote 15, Department of Health and Social Services, cleared or carried, as required. Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Capital Expenditures

Total Capital Expenditures in the amount of \$65,000 agreed to

Department of Health and Social Services agreed to

Chair: Committee of the Whole will now proceed to Department of Education, which is Vote 3. Do members wish a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 10 minutes.

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now proceed with general debate in Vote 3, Department of Education.

Department of Education

Hon. Mr. Rouble: Mr. Chair, I'm pleased to rise in the House today to speak to the Department of Education's supplementary budget No. 2 for 2010-11. I have a few brief introductory comments that may cover many of the member opposite's questions, so without further ado, I'll go into those.

I'm pleased to say that the Department of Education's commitment to creating a responsive education system, one of enhancing transitions, developing and maintaining partnerships and our work in the labour market, is certainly developing and ongoing. We continue to build upon the good work that we've done during this government's mandate and, of course, on the work that was done by many of the talented folks in the Department of Education in the years previous to that.

This supplementary budget reflects the ongoing commitment to support Yukon College and labour market activities additionally. Under the 2010-11 supplementary budget, there will be a 1.7-percent increase in O&M expenditures and an 11-percent decrease in capital expenditures.

The total operation and maintenance supplementary budget for 2010-11 is \$2,296,000. Under Education Support Services, we are requesting \$43,000 to support an internal transfer from

Public Schools. This transfer of funding from Public Schools is to support strategic planning and employee engagement costs. Those have been identified as priorities by members on both sides of the Assembly, and I'm sure that they will support us in those costs.

Under this year's supplementary budget, the Department of Education is also asking for \$801,000 to support O&M activities in Public Schools. The most significant part of this request is for \$750,000 to assist with legal fees in relation to the dispute with the Commission scolaire francophone du Yukon. As I'm sure members will all be aware, it was not our decision to enter into this type of litigious situation; however, we have a responsibility to defend ourselves when we feel we have provided the support for francophone students that we have.

It's unfortunate that we're coming here today to ask for this additional \$750,000 for legal fees. The Department of Education is also requesting an additional \$78,000 as a one-time increase to assist with higher heating fuel costs for our buildings. \$60,000 is also being requested to align the funding in the current agreements with a change in accounting practices. Previously, Canadian Heritage transferred funding directly to the Council of Ministers of Education for three French language assistants. That practice is no longer performed and the Council of Ministers of Education invoices the department directly. I don't expect to see any change in this. It's just a change in the accounting practice and some of the deadlines around that.

This request also includes a decrease of \$144,000 to defer funding to the 2011-12 budget for the northern strategy project, Revitalizing Culture through Story and Technology. This project supports and develops training opportunities to address such areas as board development, capacity building, volunteer management and organizational management for organizations throughout the Yukon.

The new, anticipated completion date for this project is November 2011. Under the 2010-11 supplementary budget, the Department of Education is asking for \$70,000 under the O&M for Advanced Education. Mr. Chair, \$108,000 is being requested for the continuation of the labour market framework for Yukon. This funding is coming from the community development trust. These funds will cover the cost of the labour market framework coordinator and labour market forum. That's an event that was just held not too long ago and one that we also discussed here in the Assembly, and I think there's a significant amount of support for the work that the labour market framework has laid out before it.

\$52,000 is also being requested for the foreign credential recognition program and is 100-percent recoverable from Canada. We discussed the issue of immigration numerous times here in the Assembly. One of the issues that is often discussed when talking about immigration is ensuring that foreigners' credentials are being recognized properly here in Canada. We don't want to overvalue — nor undervalue — the recognition that they have received from their previous jurisdiction and this work we're doing with the Government of Canada will assist us in that endeavour.

Also it should be noted that this government remains very committed to supporting Yukon College. Under the 2010-11 supplementary budget, the Department of Education is asking for \$1,308,000 under O&M for Yukon College. A large part of the funding requested for Yukon College is to assist them with their pension solvency deficit and ongoing pension costs. The Yukon government continues to maintain its commitment to Yukon College by ensuring they receive the necessary funding to enable their employees to receive the same level of benefits as the Yukon government employees.

On this issue we've had a number of different discussions already. We've discussed how this was a figure that could not be arrived at until the financial analysts who review this — the actuaries — had completed their work and identified the amount. We also discussed earlier today how the Department of Finance is continuing to work with the federal government on the broader issue of pension issues across Canada.

Also with Yukon College, \$74,000 is being transferred from the Department of Justice for the Northern Institute of Social Justice. Funding for this program was placed in the Department of Education's budget beginning in 2010-11. The transfer represents a citizen-focused approach to managing funding agreements and ensures that funding for this specific is administered by only one department. This reduces unnecessary paperwork and is less onerous to the college.

The total capital supplementary budget for 2010-11 is a decrease of \$1,542,000. The \$1,500,000 decrease for the F.H. Collins replacement project will not decrease the overall proposed budget for this project. As has been discussed numerous times, Mr. Chair, the Government of Yukon is very much committed to the F.H. Collins replacement project. Unfortunately, there were delays with the planning process. As members will see here, there was \$1.5 million that we had intended to spend, which is, unfortunately, not spent. I certainly would have preferred to have spent the planning dollars in the time that we had intended in order that the plans would have been created so we could have had them now and could go ahead with it. Instead, we realized that there were delays in the planning process.

The plans have not been completed. Once we do have the completed plans, we will be able to proceed with the process. This government remains committed to replacing the aging F.H. Collins Secondary School. As I mentioned, delays in completing the schematic design process have resulted in the situation we are in now — to extend the original schedule by some months. A large complex project such as this requires extensive planning and detailed analysis. As we've discussed in here a number of times, there were ongoing discussions and contributions from members about looking at things such as the heating system and other suggestions. We're taking those suggestions to heart, not only from the members opposite, but also from the public, and we are looking at how those can be incorporated in the plans.

The \$1.5 million will be moved into future years and reflects good cash management principles. This supplementary budget request also includes a deferral of \$42,000 in funding from site improvement and recreational development. I'm sure

the Member for Mayo-Tatchun will be watching this line anxiously, but this is to complete the Tantalus playground equipment project.

As we discussed last fall, the equipment had been ordered; the contract had been awarded and, unfortunately, due to some early fall weather, it was not able to be done on time. But the member opposite can rest assured that it has not gone forgotten; in fact, it is a high point here in our budget that I'm raising with him today.

This funding has been deferred to the 2011-12 budget, so that we can install the playground equipment with the contractor, who will be back on site as soon as the weather permits.

This government's good fiscal management has allowed us to provide for ongoing and new investments in education for all Yukoners and I look forward to continuing to do so. Thank you, Mr. Chair. If members opposite have any questions regarding the supplementary budget items, I would be pleased to answer them now.

Mr. Fairclough: I would like to respond to this supplementary budget too. First of all, I would like to thank the officials for their work in this department and for providing the briefing to us and answering a lot of our questions — not only here, but into the upcoming year's budget.

I do have a few questions for the minister opposite. He mentioned a couple of things in regard to the O&M costs. We have asked questions on the floor of this Legislature about the francophone school board and the fact that we are in court with the francophone school board. The minister identified some \$750,000 in legal fees to address this issue in the 2010-11 budget year. I'd just like to ask the minister why it wasn't booked originally. I know costs sometimes do come in a bit later, but is this higher than the anticipated cost for this court challenge? Are we likely to see more taxpayers' dollars going toward this in the future?

Hon. Mr. Rouble: Members will of course appreciate that we were in a mediation process earlier with this suit that was filed against the Government of Yukon. We do our best to estimate some of these things, but unfortunately, with cases such as this case, there were a couple of issues such as a separation of two parts of the suit, a couple of different delays between different sections of the case being heard, some unfortunate illnesses with the Department of Education staff, so there were a number of factors that have contributed to this. I do want to go on record, though, saying that the Department of Education understands its legal obligation to support French first language education to right-holders' children, and it remains committed to continuing to support our francophone students.

We have provided significant supports to French first language education from kindergarten through to high school. Francophone students enjoy an excellent level of education in a very well-equipped school that currently operates at about 60 percent of the recommended capacity. The students enjoy strong levels of funding and student-teacher ratios that are among the lowest in Canada.

The Government of Yukon has a responsibility to defend itself when lawsuits are filed. The Commission scolaire franco-

phone du Yukon filed suit against the Government of Yukon in February 2009 after efforts to resolve the claim were unsuccessful. After that, we engaged in good-faith efforts to try to resolve the matter and try to avoid a trial and the cost related to it, but the parties were unable to reach a mutually acceptable agreement.

The court proceedings ended February 3, 2011, and it is unknown when the final decision will be made by the court. It's at that time that we will know the full extent of not only the legal cost but also, if there is a judgment against the Government of Yukon, some of the costs the Government of Yukon might pay, if the ruling is not in our favour.

It's now becoming more widely known what was in the statement of claim. It was quite confusing and frustrating, the lack of knowledge that many people had about what was actually in the claim and what was being asked for. We do realize that different parties have stated their position on this and what they would have done differently, but we have to consider some of the issues that were and are pertinent to this case.

The statement of claim is quite wide reaching, but the following issues are being considered by the judge: transfer l'École Émilie Tremblay school to the Commission scolaire francophone du Yukon and the parcel of land upon which it is situated; the authority to build a new secondary school on the EET land, which could accommodate 200 students; along with that, the capital budget to build that school, which was estimated at trial to be in the range of \$15 million to \$45 million; the right to manage the EET land and the school that it would be situated on; and the operation and maintenance budget required to manage them. The statement of claim was also looking for added human and financial resources, as well as the transfer of authority to the Commission scolaire francophone du Yukon so that CSFY becomes the employer of the director general, the school principal and the teachers, the assistants and the technical support staff of EET.

Now as I've said, this is a matter that is before the courts. The cases have been presented. We are awaiting a decision by the judge, and the rulings that he will make. After that, I will be in a better position to provide more definitive information to the member opposite.

Mr. Fairclough: This is interesting information that the minister is presenting here. When does he expect a ruling to come down from the courts? I mean, obviously the minister should have some idea as to when the ruling would come down. Does he expect it, like, within a month? I'm sure it won't take all that long to bring a ruling down so we can see the final cost and to see what Yukon taxpayers are being billed for in regard to this legal case?

Hon. Mr. Rouble: I'm not sure why this would come as a surprise to the member opposite. This is what the court case was seeking. This was in the statement of claim that was filed in the court. Obviously the Liberal Party would have read the statement of claim before bringing it forward in the Assembly. I mean, obviously they would have known what was being asked for prior to debating it here. That just goes without saying.

No, I don't know when the judge will render his decision. That's certainly his prerogative. The information from both sides has been presented. These types of situations can be decided upon in weeks or months or several months. We will all have to wait patiently in order to receive the ruling.

Mr. Fairclough: Well, I was hoping that the minister had updated himself on this court case. Quite often, we've asked questions in this House, and he can't answer them and he hides behind some excuse. I think Yukoners are interested to know when we can possibly see the final results from the court case. It's costing taxpayers a lot of money. Obviously, the minister is fighting the francophone school board on these issues. I would like to ask the minister about the capital budget of F.H. Collins. Now, in the past I've asked the minister questions, because the minister made a promise and a commitment to the Yukon public that there will be \$24.4 million in the budget for the replacement of F.H. Collins.

Within months that has changed already. Now we see part of the planning dollars — \$1.5 million — are being identified for a revote and to continue to do some planning. I did ask this question, and I'll ask it again to see if it has changed. The minister said there were delays in the planning of the F.H. Collins school. I asked in the briefing whether there were problems with the architectural designs. I'd like the minister to answer that. Why have the plans not been completed? Why couldn't we have started construction in this coming year of 2011-12?

Hon. Mr. Rouble: The member opposite can rest assured that the Department of Education staff kept me apprised of the case and the situation we were in and the progress that was being made. Obviously, the member opposite is aware of the Standing Orders and our legislation regarding commenting on cases that are before the court. I do have to question him though about the tone and a statement that he made where he said that obviously I'm fighting the school board. Should Yukoners take from that then that the Liberal Party would not have defended themselves when faced with this case? We're coming up to an election, Mr. Chair. It's all about options; it's all about the plans going forward. Would the Liberal Party have not defended themselves in this case? Would they have put in place all of the actions that the Commission scolaire francophone du Yukon is looking for? Could we get some clarity from the Liberal Party on that one?

Mr. Fairclough: The minister is a little emotional; he forgot to answer the second part of the question about F.H. Collins. It appears that this Yukon Party likes to be in court with Yukoners.

It has found itself in that position quite often; no surprise there. They are the government. They've been there for two terms and this has been dragging on and on and on and we don't seem to be coming to any conclusion here any time soon. The court case done as of February 3, so I ask the question again about F.H. Collins. The minister seems to be a bit emotional in regard to the court case. I'd like to ask the minister to answer the questions about F.H. Collins.

He promised Yukoners there would be over \$24 million for its replacement. Today he said there are delays in the planning. The plans are not completed. I asked about the architec-

tural work, whether there were problems in that area, and the minister refused to answer the question. We're talking about the supplementary budget. It is about F.H. Collins, so why is the minister refusing to answer the question?

Hon. Mr. Rouble: Well, we got the clarity we've grown to expect from the Liberals on that one.

Once again, they want to take credit for things when they see it in the budget, but they don't want to take any responsibility. Once again, they want to levy criticisms, but they don't want to levy what their position on it would be. They want to complain when the government does something, but they don't want to say how they would handle it if they were in the situation. I'll leave it at that.

Members will certainly realize the scope of a project of building a new high school. We're looking at a project of greater than \$50 million. But more than that, we're really looking at the future. There is nothing more optimistic, I believe, than looking at opening a new school. It means making a commitment to the future. It means making a commitment to the young people. It's a commitment to learning and to all of the good things that will happen with that new knowledge. We did a lot of work in looking at the demographic situation in Yukon, the City of Whitehorse, of our existing facilities, and recognized that the next major capital project for the Department of Education would be the replacement of F.H. Collins. We then went to work with teachers, with parents, with school councillors, and with First Nations and took a look at the whole issue of secondary school programming and took a look at the recommendations we had received from the education reform and the expectations people have about our education system.

We looked at the different paths that students will follow — where some will want to go into a future in arts or culture; some will want to go into vocational or skills or trades training; others will want to go into academic pursuits or law or medicine or the sciences or engineering.

We then took a good look with our educators at how we could best go about creating an environment and creating a school that would be conducive to that type of learning. We looked at the recent research regarding school design and how they were constructed and how they were working and the outcomes of the students going to those schools. We put together a large advisory group on this project, which included teachers, educators, principals, school counsellors, people from the Department of Education — just to name a few of the groups.

We've sent people out of the territory to take a look at new schools that had been recently constructed with this kind of philosophy. We've also taken a look at how we can build a more green building, one that lives up to the LEED standards. We've taken into consideration the environmental component of some of the materials. That has been raised here on the floor of the Assembly. We've worked with Yukon First Nations to talk with them about the design and flow and some of the components of the building. Also, we're looking at the added complexity of building a building on the existing footprint where the existing school and gymnasium sit today.

It has come down to an excellent conceptual design, one that manages to incorporate the vocational wing that has a sig-

nificant value, not only in terms of economics, but also value in preparing people for careers in the trades. We've created a conceptual design that responds to the concerns from First Nations about creating a link between the school and the land, and having views that include the mountains, the trees and the water.

We've created a conceptual plan that incorporates some open spaces and daylight into the learning environments. We've included in the conceptual plan a way of looking at modular spaces so that you'll have, for example, a stage that can be used as a music room and when you open the doors, or move the walls on that, it now becomes more of an auditorium space. Then, when you need an even larger space, you open the doors from the auditorium to include the whole school so that we have a place for large community celebrations, graduations and the like. The building advisory committee has done a tremendous amount of work with a lot of the restrictions that are imposed on them by the site, and also in looking at the many different expectations that have been put on them. Last March, we worked and hired the architectural firm. In October of 2010, the schematic design was completed and now we're going through the technical design phases.

No, there are no problems, but we are dealing with a very complex building. As one would expect, this is a fairly large building. As I mentioned, the budget is greater than \$50 million. We have to incorporate a multitude of uses with it. There is some complexity to the design; however, I should add that as it is slab-on-grade construction with steel construction, I don't expect the actual fabrication will be as onerous as the Carmacks school.

I'm sure the member opposite is aware that, with the curve in that school, there were issues with putting down flooring materials. I mean, the Yukon Party government was certainly happy to go to work on building that school and to address that long-neglected need in that community, and we were certainly happy to build a school — one that is going to meet the needs of the community for years to come. But on that one, we did certainly recognize that there were additional complexities that added to the cost. We've learned from that. We want to incorporate into this project the knowledge we gained from that project.

We also appreciate that we can't rush the planning stage. This isn't always the type of situation where if you task more people to it, it gets done faster.

Sometimes it's a case of having the couple of people tasked with doing it just spending more time on it, because they have the knowledge of the process.

We are committed to continuing to work with the building advisory council and continuing to work with our architect, and continuing to go ahead with the project. I'm sure the member opposite realizes and recognizes that if we were to rush the project at this stage, it could increase the risk on this project. Like anything else, usually the higher the risk, the higher the cost.

We have to do this in a manner that will meet the needs of the students. We do have to recognize they will be affected during the course of construction. As I mentioned, we are going to have to remove the gymnasium for the construction. It will

impact the students by building a new building next to the existing building. We will do our best with Department of Education staff and teachers to address the issues that arise because of this.

I put forward the go-forward plan a number of times in the Assembly as to how we will continue on with this project. It's one that I'm eager to start the groundwork on this summer and to do some of the site preparation work. I certainly look forward to being at the opening of the new school.

Mr. Fairclough: Well, that might happen, but probably not as the Minister of Education, because it's not going to happen in the Yukon Party's mandate.

The minister said there are delays in the planning and that the plans are not completed. He also said that the cost of the school is greater than \$50 million. Is there more to the plans than was anticipated? Is it bigger than what we have seen in the past — of the design that is up at F.H. Collins now? Is that number of \$50 million greater than \$50 million now? Are we expected to see that number increase once construction starts?

I'm sure that the minister is anticipating increased costs in fuel, materials and so on.

Hon. Mr. Rouble: Mr. Chair, the designs that are available are very close to the actuals. There is continuing work on the heating system. As members will recall, we've had discussions in the Assembly on open-loop, closed-loop geothermal systems, on biomass heating systems, on electric boilers, on natural gas boilers and oil-fired boilers in here. I'm not an expert on any one of those.

As I mentioned, we are intending to build the school to LEED standards. We are intending to incorporate energy-saving activities where we can. We're looking at demonstrating or modelling some of the technology that is emerging in these areas. But we also have to crunch those numbers and ensure that we are making a fiscally responsible decision. As the member opposite — the Member for Mayo-Tatchun — reminded me, some of these geothermal heating systems have challenges at temperatures below, I think he said minus 20 —

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: Minus 30 — which, given the environment we live in, we do have to take into consideration.

I have been talking about a \$50-million project. Obviously on a project of this nature, we will build in contingencies. We will do our best work through the Department of Education, the Department of Highways and Public Works and the Property Management division to estimate the cost of construction. We'll certainly look at construction costs for similar projects in other jurisdictions, look at cost of materials, look at the expected costs of labour, but we won't know the final amount until the bids actually come in. Mr. Chair, that's the nature of projects of this magnitude.

We are looking at a project of roughly \$52.5 million, but I don't want to put too much degree of specificity on that because, as I said, we won't know the final costs until bids are received. That's the nature of a construction project. I know the Minister of Highways and Public Works is working very closely with his deputy on these large-scale construction projects in the territory, and we have been working very closely

with the architects and project estimators to estimate the cost of this project so we can build it efficiently, cost-effectively and meet the needs of students in the territory for decades to come. That's the whole point. The whole point is to build a building that is conducive to learning, that's conducive to helping our high school students take advantage of the educational opportunities that are before them. The whole point of building a building like this is to serve the purpose of learning; it's to create an engaging atmosphere that supports diversity in learning, that I'm sure will be used to teach students subjects I haven't even fathomed.

Step back 50 years and look at building a high school then. It might have been a very avant-garde thing to incorporate a typing room in a school. Well, we're beyond that. We've gone through the stage of putting in a computer room. We're beyond that. Now we have to recognize that we need to incorporate computers in our learning, in our everyday practice — that those are not just tools to learn about, but they are tools to use to learn other things. I think our imaginations would all be stretched trying to think about what would be discovered in the next 10, 20, 30 years that will be taught in our schools in 20, 30, 40, 50 years.

We want to build a school that meets the needs of students, meets the needs of teachers; one that creates flexible learning environments; one that can be adaptable and responsive to the multiple uses that go on; one that can create a place where students can go and learn on their own, individually, or where they can work in a group, or where they can come together as the whole school in order to address some of the other broader community issues.

I am very excited about the future of education in the territory. The philosophy with which we have approached this project has been exciting and invigorating. It has caused teachers to imagine new teaching methods, to talk about different ways of covering content and material. That kind of spirit and enthusiasm has been contagious. It started to spread to teachers at other schools who are thinking that, well, maybe they're not limited by some of their physical spaces as they thought they might have been and we can try to teach in different ways, to teach in ways that meet the unique needs of different learners and, as well, that's embracing of new technologies so that Yukon students are best prepared for the opportunities that will be afforded them after high school. I get pretty excited about what can happen in a learning environment in a new high school or some of the new technologies that can be used to help our kids grasp the concepts and the ideas that are out there. Teachers do a great job and have a significant number of challenges ahead of them. We all have to respond to the changing world that we're in and changing technology.

Keeping kids engaged now is even harder than it was 20 years ago. I remember talking to teachers 20 years ago who said their competition was *Sesame Street*. This is of course for primary school, but today, the competition isn't limited to what you can watch on the one channel on CBC; today, we're competing with 250-channel television universes or the Internet and the multitude of work that is out there or the stimuli that are coming from a number of different areas. Breaking through that

clutter is important and creating a learning atmosphere that is going to adapt and welcome these changes, welcome the changes in teaching styles or learning styles, I think is really important.

I'm really excited about this school. It has been a model of planning, of incorporating views of other people, of balancing a lot of different ideas that are coming out. I have great faith and great hope in this project. I certainly look forward to continuing it.

Mr. Fairclough: Well, that's quite the answer, Mr. Chair; let's move on. The Liberal caucus and party do support this project. We'd like to see it built to replace the old F.H. Collins school. We know what it means to parents in the community. I've seen it in my own community of Carmacks, how things change. The minister likes to see new ways of teaching and trying to educate our children. I think teachers are far in advance of that and have recommended and are using new ways of doing things.

I'd like to move on and ask the minister if he can update the House on the community campus in Pelly Crossing. There was an issue with the cost and Yukon College had to dip into their funds to cover the additional cost. Where is it and is everything now okay? Does the minister feel they have provided sufficient funds to ensure this project is completed?

Hon. Mr. Rouble: The government has been very excited about expanding post-secondary education opportunities for all Yukoners. We started off with putting in the student residences at Yukon College, which is a step that members opposite criticized us for and called us irresponsible for spending more than the \$3 million than had been originally been estimated for housing for the Canada Winter Games.

Instead, we spent significantly more than \$3 million, but created a legacy project there that provides family housing for students at Yukon College. We've also expanded programming at Yukon College here in Whitehorse. Many of the programs are available through their distance education program across the territory. Some of the other infrastructure programs have included the Research Centre of Excellence, which has used the lower level in the student residence. When it was constructed, that was never intended to be a habitable space, a place where you could house people. Instead, we worked with the college to use that as a home for the Research Centre of Excellence.

Our commitment to increasing post-secondary education opportunities has certainly not stopped there. We've also recognized that many of Yukon College's community campuses were in need of refurbishment or rebuilding. We worked through the process whereby the federal government came out with their knowledge infrastructure fund.

Yukon College identified that their priority projects were the Dawson campus and the Pelly campus. Yukon College put together the submission and that was submitted to the federal government and approved. It required a matching contribution, so on that project the costs for both the Pelly campus and the Dawson campus — half of the cost was expected to be covered by the Government of Yukon. We believed in the project and provided the college, in a previous budget, with the resources to live up to that portion of it.

I should also note that at that time there was an agreement signed with Yukon College wherein they recognized that they were responsible for the cost overruns on this project. When we were faced with higher estimates on this project than had originally been estimated, the Government of Yukon did not put all of that responsibility on Yukon College.

Instead, the departments of Education and Highways and Public Works absorbed much of the cost overruns. The Department of Education's contribution was covered in the first supplementary that saw an increase in resources from the Department of Education. As it's not an item that is addressed in this supplementary budget — because Education covered its portion in the first supplementary — I don't have a whole lot of notes on this one, Mr. Chair, so I will just put that caveat out there that a couple of the figures are coming off the top of our heads right now — but I believe the total cost for the project will be in the order of \$2.25 million for the Pelly campus. That project is very near to completion. We're looking at April for completion. Being February 21, April is really not too far away.

We will certainly, again, take the advice of folks who toss out advice. We'll look at places where we can recover funds for this, but certainly we did not go back and force the college into a position that was unacceptable to them.

We certainly looked at putting in this type of infrastructure in our communities as being of vital importance. When we look at the opportunities that are going on in Pelly right now with the resurgence of the resource sector and the mining work that's going on there, we do need to prepare people in Pelly for opportunities that are in Pelly. I'm very encouraged and will be very encouraged to see the programs that Yukon College will put forward there. This is just one more demonstration of the commitment that this government has in continuing education and supporting advanced education for the territory.

We do have quite a track record now of building schools throughout the territory, and some of the creative ones. Whether it's, as I mentioned, the additional accommodations at Yukon College or the school in the member opposite's riding, or the Individual Learning Centre, or the School of Visual Arts and now seeing two more Yukon College campuses in Pelly and Dawson, these clearly demonstrate the commitment of this government to help to prepare Yukoners for Yukon opportunities and to continue to create additional opportunities for continued personal growth. I'm very proud to support that.

Mr. Fairclough: Obviously, there is a ton of questions in the Department of Education. I've tried to limit it to the line items in the supplementary budget and not go too much beyond that. I thank the minister for his answers and definitely we will have many more questions when we come into the main budget. I'll just turn it over to my colleague from the Third Party.

Mr. Cardiff: I'm going to try to be brief. I only have two questions. Basically, what I'd like the minister to let us know is he has indicated that there is three-quarters of a million dollars for legal fees related to the French school board case. What I'd like to know is — I realize it's not in this budget, but

what are the total expenditures to date on this case by the department?

In other words, were there expenditures in the previous budget year? That's one question. Could they provide a breakdown on the line under Revenues for the \$2.143 million we received for French language programming? Could they provide a breakdown on how that is spent?

I know a portion of it goes to the French school board. It doesn't have to be today; if he doesn't have it, I would appreciate getting a legislative return. Those are basically the two things: the breakdown and whether there are any expenditures in previous years for the legal fees.

I look forward to discussing all this more when we get to the mains.

Hon. Mr. Rouble: The Government of Yukon has been very committed to our French first language education, despite our very small populations here in the north. We have worked with the francophone community. They have done an excellent job in the past of lobbying for additional resources from the federal government. Unfortunately, those pots of money are not here today.

We have a tremendous amount of support for l'École Émilie Tremblay. I have discussed many of the benefits that the students receive there. Additionally, there have been steps in recent years to top up the staffing at that school with a 15-percent top-up in staffing. We now have a little bit over 24 FTEs at that school, which is significantly more than we would have at another school in the territory with that type of population.

We did try to work with the Commission scolaire francophone du Yukon. Unfortunately, we could not achieve a meeting of the minds on this one and, as such, we were taken to court. Members opposite should be aware of what was asked for. It includes items such as a transfer of the school to the Commission scolaire francophone du Yukon; the authority to build a new secondary school; a capital budget to build that school — which is estimated to be in the range of \$15 million to \$45 million; and also the transfer of authority to the Commission scolaire francophone du Yukon so that Commission scolaire francophone du Yukon would become the employer of the director general, the school principal and teachers —

Some Hon. Member: (Inaudible)

Point of order

Chair: Mr. Cardiff, on a point of order.

Mr. Cardiff: On a point of order, I believe in the Standing Orders there is a reference to repeating oneself. The minister has already gone through the list of what was —

Chair's ruling

Chair: Sit down, please. There is no point of order.

INTRODUCTION OF VISITORS

Hon. Mr. Fentie: If I could ask the House's indulgence — all the Liberals, the Third Party and the government side — to turn our attention to the gallery.

I have the pleasure and the honour of the introductions for our Minister of Department of Indian Affairs and Northern

Development, Mr. John Duncan — welcome, sir — his chief of staff, Mr. David McArthur — welcome. Next to David is Michèle-Jamali Paquette — welcome, Michèle. As you said to me, as in the song from the Beatles, *Michelle* — “my belle” is what it means. Next to Michèle is a local Yukon lad, Mr. Ted Laking, who is the policy advisor for Minister Duncan. Welcome all of you.

Applause

Hon. Mr. Rouble: Welcome to the minister and also to Mr. Laking. It's always great when we see examples and evidence of Yukon's education system and the accomplishments that our young students achieve. I would like to again congratulate the minister on having a good eye for hiring people — well done.

Mr. Chair, I was identifying some of the reasons why there was this \$750,000 expenditure for legal fees. The Department of Justice is also involved in this.

This is a case where the department pays the fees, and we flow funds through them. This has been a very significant case for the Yukon as I'm sure the member opposite, when he realizes what the full case was about —

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: Well, I appreciate that the member opposite is saying, “like you explained it 20 minutes ago.” Again, Mr. Chair, I've got to voice my frustration. I would have expected that members opposite would have known what was in the statement of claim when it was filed and when we started on this court case. I'm quite amazed and astonished to hear that the members weren't aware that this is what the court case was seeking.

Some Hon. Member: (Inaudible)

Point of order

Chair: Mr. Cardiff, on a point of order.

Mr. Cardiff: I'll refer to 19(c); it's needless repetition and he's repeating himself. He's saying that we didn't know what was in the statement of claim.

Chair's ruling

Chair: Order please, order please. Sit down please. When a person rises on a point of order, the Chair only needs enough information to base a decision on the point of order. When it comes to debate in the Assembly, each member has the ability to speak and debate how they see fit, and “needless repetition” isn't “repeating oneself”, when a question is asked.

Some Hon. Member: (Inaudible)

Chair's statement

Chair: A comment being made while I'm ruling on a point of order is definitely not in order, and Mr. Cardiff, that kind of language is not respectful in this House. I'd encourage you not to speak like that.

Hon. Mr. Rouble: This budget includes \$750,000 for court-related fees. I have been assured by the Department of Education that the quality of education has not suffered, that there has been little, if any, impact in our classroom, and that

the pedagogical practices throughout our education system have not suffered because of this. I would caution, too, that this issue that we're debating is specifically about some of the legal fees, but that does not take into consideration the tremendous amount of time that many staff members in the Department of Education have put into this case.

It has been a very challenging situation and I would just like to let all the staff know of my thanks and appreciation for their dedication and professionalism and their tremendous amount of hard work in this trying situation. Again, we won't know what the total amount of court fees are until the situation is concluded. We're not sure how the judge will rule on this case and whether or not our fees would be recovered.

The other question that the member asked for was a breakdown of the Canadian Heritage line item. That item is increased by \$60,000 to take it to \$2,203,000. As I mentioned in the introductory comments, that's mostly in part to an accounting change and a timing change.

Mr. Chair, we will be in a much better position to provide more details in the full budget, but about \$1.2 million of that is spent on French first language programming, and about \$975,000 of that is spent on French second language programming. I appreciate that that does not add up to the total there. I don't have the specific numbers at my hands right now, but will be able to get into a greater debate about that allocation of resources in the mains and then we can talk about the Canadian Heritage fund and how it is to provide supports for both French first language programming and French second language programming throughout the territory.

Chair: Any further general debate? Seeing none, Committee of the Whole will now proceed line by line in Vote 3.

Mr. Cardiff: Mr. Chair, I request the unanimous consent of the Committee to deem all lines in Vote 3, Department of Education, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 3, Department of Education, cleared or carried

Chair: Mr. Cardiff has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 3, Department of Education, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$2,296,000 agreed to

On Capital Expenditures

Total Capital Expenditures underexpenditure in the amount of \$1,542,000 cleared

Department of Education agreed to

Chair: Committee of the Whole will now proceed to the Public Service Commission. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair: Committee of the Whole will now come to order. The matter before the Committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now proceed with Vote 10, Public Service Commission, in general debate.

Public Service Commission

Hon. Ms. Taylor: I would like to thank everyone for the opportunity to provide an update on the Public Service Commission supplementary budget for the 2010-11 year. The Public Service Commission's objectives are to make appropriate investments in the public service, to sustain the organization as a desirable place to work for delivering the best possible programs and services for Yukon people, to provide leadership and human resource planning and initiatives, and to work with departments to support organizational excellence by developing human resource expertise.

The supplementary estimates that are before us consist of wage adjustments for management employees, premium changes in the workers' compensation fund, to reflect wage enhancements for January 2010-11, including retroactive payments and a reduction in WCB premium rates effective January 2011. The net impact of these changes alone is forecast to be approximately \$192,000. The supplementary estimates also consists of updates to employee future benefits to reflect an actuarial evaluation that was completed based on March 31, 2010 data. I look forward to any questions put forward by the members opposite.

Mr. Fairclough: I'm shocked that the minister had such a short introduction in this department, or one of her departments. I will be short too. I thank the minister for her explanation on the line items that are before us. There's not a whole lot in there. I think what I would like to ask the minister is something that I've asked year after year and continue to get asked this in the general public, and that is in regard to the number of employees in the territory.

I would like to know what the change was between 2010 and 2011 versus 2009 and 2010, and whether or not this trend will continue. While the minister is on her feet, can she also state for the House what the number of employees was in 2002 when they took over office?

Hon. Ms. Taylor: This information, I should coin it, was actually comprised in part by way of a departmental briefing provided by the Public Service Commission. For members opposite, I do have information just at my fingertips, and this was actually provided as a handout during the opposition briefing, as I understand — or at least it was communicated as such. The number of employees — for example, in 2006 — and that's all that I have going back at my fingertips — was 4,428. Then, in 2010, I have 4,955.

Mr. Fairclough: The other part of the question was: could the minister provide that number for 2002 — what the number of employees was and also the difference between 2010-11 and 2009-10 and whether or not this trend will continue?

Hon. Ms. Taylor: As I just articulated, I don't have that information dating back to 2002, but we can certainly make the commitment to get that.

I can go back, though, to 2009. Again, this was provided in the opposition department briefing. In 2009, there were 4,917 employees and 2010 is, again, 4,955.

Mr. Fairclough: We've seen a constant increase. I just wanted to know from the minister whether or not she feels that this trend will continue — that the number of employees will climb by about this much every year.

Hon. Ms. Taylor: When one looks over the course of the last number of years, there has been substantive growth in the territory, including our revenues as a result of population, business being done and so forth. As such, there are pressures, more demands upon services and programs being made available by way of Yukon government and all governments. As such, we've been able to grow our budgets through a number of different funding mechanisms, but primarily we have seen growth in Health and Social Services and actually all across the board. I do not have that specific information at my fingertips. Again, we will continue to grow our budgets and grow the number of employees in keeping with the level of demands, of course, based on the number of dollars housed within our budgets.

We have been fortunate, as I just alluded to, to be able to grow our revenues over the last number of years, much of which is to be attributed to the formula financing agreement negotiated through Department of Finance officials in Canada over the years. We're very thankful for revenues flowing to Yukon and through the formula financing agreement, which has given the Yukon great options in order to meet the demands that we are currently feeling as a result of substantive growth in the territory.

Mr. Fairclough: I'm not going to go on in this department. This is last year's supplementary of \$1.166 million. The minister explained the two line items there. We will be asking questions in the main budget when this department again comes up. I thank the minister for her answers and I look forward to the information I asked to be sent to us.

Chair: Any further general debate? Seeing none, we'll proceed line by line in Vote 10, Public Service Commission.

On Operation and Maintenance Expenditures***On Finance and Administration***

Finance and Administration in the amount of \$3,000 agreed to

On Corporate Human Resource Services

Corporate Human Resource Services in the amount of \$6,000 agreed to

On Employee Compensation

Employee Compensation in the amount of \$2,000 agreed to

On Staff Relations

Staff Relations in the amount of \$5,000 agreed to

On Workers' Compensation Fund

Mr. Fairclough: Just for the minister to give that explanation on that line item, along with when we come up to Employee Future Benefits.

Hon. Ms. Taylor: Well, I'll just go over to what my introductory remarks covered, and that is basically to reflect premium changes in the workers' compensation fund, which reflects the time period between January 2010 and January 2011, including retroactive payments and reduction in the Workers' Compensation Health and Safety Board premium rates, effective January 1, 2011, with the net impact of those changes being \$192,000.

Workers' Compensation Fund in the amount of \$192,000 agreed to

On Human Resource Management Systems

Human Resource Management Systems in the amount of \$1,000 agreed to

On Human Resource Management Systems

Human Resource Management Systems in the amount of \$1,000 agreed to

On Policy, Planning and Communication

Policy, Planning and Communication in the amount of \$5,000 agreed to

On Employee Future Benefits

Mr. Fairclough: I ask if the minister can give us detail on this line item also. Is it any different from her introductory remarks?

Hon. Ms. Taylor: I'm not too sure what else to add other than this is reflecting the actuarial evaluation that was completed which was based on March 31, 2010, data. The main estimates for 2010-11 showed no change from the prior year pending the then year actuarial review, so changes after the review totalled approximately \$944,000 for 2010-11.

Employee Future Benefits in the amount of \$944,000 agreed to

On Staff Development

Staff Development in the amount of \$8,000 agreed to

On Total Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$1,166,000 agreed to

Public Service Commission agreed to

Chair: Committee of the Whole will now proceed to Vote 51, Department of Community Services. Do members wish a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 10 minutes.

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now proceed with general debate in Vote 51, Department of Community Services.

Department of Community Services

Hon. Mr. Lang: Mr. Chair, I'm pleased to introduce the *Supplementary Estimates No. 2, 2010-11*, for the Department of Community Services.

Our capital budget for 2010-11 is reduced to \$64.091 million and our operation and maintenance budget sees an \$802,000 increase, bringing the O&M total in 2010-11 to \$68.263 million. Thanks to the hard work of the people in the Department of Community Services, we are managing projects wisely and continue to make strategic investments and decisions that bring wide benefit to Yukon. We continue to support vibrant, healthy and sustainable Yukon communities, and I am proud to represent the people of the Yukon and the good work of Community Services.

We continue to stay the course set out in our 2010-11 departmental plan, and I look forward to carrying forward our successes in the year 2011-12. This government continues to invest for long-term benefit and measurable accomplishments.

Since the fall session only a short time ago, Community Services has accomplished several important initiatives and continues to work for Yukon people and their communities.

Some of the *Supplementary Estimates No. 2, 2010-11* budget highlights are: \$25,000 to support Hockey Day in Canada activities, and what a great success it was. For Yukoners, the 11th annual Hockey Day in Canada was a celebration of community involvement. I would like to thank the local organization and committee for its hard work and dedication and for showing hockey fans across the country just what "community" means in Yukon.

Hockey Day in Canada was a tremendous success and I am very pleased that Community Services was a contributing partner. \$60,000 is identified for a contribution to Sports and Recreation, and this government remains committed to the support we provide for active living and sports and recreation in Yukon. Team Yukon's success at this year's Canada Winter Games in Halifax is something to celebrate and points to the excellent programs and services in place for athletes. I want to congratulate Emily Nishikawa, Danielle Marcotte and Kyley Marcotte for earning Yukon's three gold medals for these games thus far and to the entire Yukon team for their individual successes, team accomplishments and team spirit.

As we will see in Community Services 2011-12 budget — that I look forward to introducing in this Legislature — we're also a government that remains committed to improving access to safe drinking water supplies in Yukon. In this supplementary budget, we have identified a number of drinking water projects and arsenic treatment projects that are underway and will continue into the new fiscal year.

We continue to work with municipalities and First Nation governments to improve public drinking water supplies. Projects are ongoing in Haines Junction, Carcross, Watson Lake, Ross River, Mendenhall, Rock Creek, Deep Creek, Burwash Landing and with the Little Salmon-Carmacks First Nation and Selkirk First Nation. These important drinking water projects are identified in this supplementary budget and our commitment carries forward into the new year.

As seen by the significant investment being made by this government under the Building Canada fund, we remain committed to improving community infrastructure throughout the Yukon. A number of projects at various stages of planning and construction are identified in this supplementary budget, in-

cluding the Dawson City sewage treatment and district heating project being led by Highways and Public Works. With a significant archeological find on the site, there were some construction delays on-site, but the project moves forward with success.

The Carmacks sewage treatment project is complete, with the exception of minor repairs and site remediation. Wastewater collection system improvements also began and a \$100,000 increase is requested for the beginning stages of planning and design.

Old Crow road upgrade planning and design has begun, and we requested \$100,000 in this supplementary budget for this work.

Faro water and sewer pipe replacement planning and design began in 2010-11, and funding is requested for this initiative. Mayo water system upgrades are moving forward. Teslin road and drainage upgrades have also begun.

An \$825,000 increase is requested for the planning and design of the Selkirk public works shop. \$50,000 is identified for upgrades to the Rock Creek water supply and \$40,000 for planning and design of the Deep Creek water treatment plant. \$546,000 is requested to begin construction on the Burwash Landing wellhead protection project — again, this is a project that begins in 2010-11.

\$100,000 is requested to begin planning and design of the Beaver Creek road upgrade project. A \$1-million increase is requested for resurfacing roads and upgrading drainage in Carcross, as part of the downtown plan. The project I am highlighting began in this fiscal year and will carry forward in our 2011-12 budget.

One of our department's significant accomplishments over the past year is seen in the strides we have made toward developing and supplying residential, commercial and industrial lots in Yukon communities.

On September 21, I was joined by MLA Taylor and Mayor Bev Buckway to officially open the new Ingram subdivision. Significant progress was made in 2010-11 on Whistle Bend subdivision, and we are on course to have lots available in 2012. In 2011-12 we continue our strong commitment to work with our partners to make land available to Yukoners, and I look forward to the initiatives outlined for land development in our department's 2011-12 budget.

This government is pleased with our track record on implementing the *Yukon Solid Waste Action Plan* and we remain committed to modernizing our solid-waste management practices. In this supplementary budget, we requested an increase of \$150,000 to support material recycling and sorting facilities improvements; \$200,000 for transfer stations, recycling depots, composting and chipping equipment for our landfills. Our 2011-12 budget will build on these investments.

In 2010-11 we set up a new Solid Waste Advisory Committee. The role of the committee is to help set priorities for improving solid waste and recycling programs in Yukon. Recycling programs have been transferred to Community Services from the Department of Environment. Transfer stations and recycling programs are operating in the Whitehorse area. Discussions to establish other regional landfill sites are ongoing.

Our objective is to modernize solid-waste management in our territory and we are on course to do just that.

In addition to the significant investments made by Yukon in infrastructure development under the municipal rural infrastructure fund, Canadian strategic infrastructure fund and Building Canada fund, a large portion of the investment is recoverable from Canada. In the *Supplementary Estimates No. 2, 2010-11*, we have identified \$38.506 million in total recoveries. This includes \$19,000 in joint emergency preparedness funding to offset investments in the mobile radio system and radios used for fire management.

It includes \$9.240 million in total recoveries for work completed on the Carcross and Whitehorse waterfronts. This is good news. The Carcross waterfront is proceeding more quickly than anticipated.

The Kwanlin Dun cultural centre is moving more quickly than expected, and it means that the Whitehorse Public Library will be moving in the fall of 2011, ahead of schedule. Recently, we announced the tender award for the Whitehorse wharf construction project. This is also exciting news, and it means that later in the fall of 2011, we expect the wharf to be ready for public use.

A \$3.05 million recovery is seen in municipal rural infrastructure fund projects, including the Champagne and Aishihik First Nations cultural centre and other water and waste-water projects. More than \$11.47 million in recoveries are also identified for Building Canada projects.

In closing, we recognize the importance of strong relationships between governments, with Yukon people and our other important community partners and our clients. Community Services continues to invest in Yukon communities and Yukon people. This supplementary budget reinforces our commitment through the many projects we have underway for Yukon.

Thanks to the hard work of our employees and, of course, our volunteers, Community Services successfully delivers a broad range of programs that serve Yukoners and our communities. Together our department is working to create vibrant, healthy and sustainable Yukon communities through planned investment and community-focused services and delivery. Thank you, Mr. Chair.

Mr. Inverarity: I am pleased to stand today to respond to the minister on his supplementary budget. My comments will be brief today, but first of all, I would like to thank the officials for coming; it's always a pleasure to have you here in the Legislative Assembly, and I know that you will give sage advice to the minister when required. Thank you again.

There are some significant changes in the supplementary budget. Overall, it appears that the Community Services' capital budget has been reduced by about \$20 million. I would like to touch on this and other major reductions. I know the minister has commented on them in his opening speech. However, the most significant reduction in the capital budget is the Dawson City sewage treatment and the district heating. The budget appears to have been reduced by about \$13.3 million. I would say that this is a fairly substantial reduction. Would the minister explain why the budget has been reduced so drastically and what the plan is for completing this particular project?

Hon. Mr. Lang: Community Services doesn't manage the actual project; Property Management is actually doing the project on the ground, but the archeological issues we had certainly did delay the project. I can say to the House here today, it's ongoing now; the archeological questions have been answered, so that was a delay that was unforeseen by the department and, of course, the Department of Public Works too, so that was part and parcel of our delay.

Mr. Inverarity: Well, if I understand correctly, this is strictly a timing issue, that the reduction in the \$13.5 million is because of the archeological find that they had up there, and that money has been moved into the next fiscal year.

Hon. Mr. Lang: Yes, that certainly is the reasoning behind it, but we are working with a timeline. We can still keep it on time; we just have to catch up as we move forward with these kinds of unknowns. With the size of the project we see today and the investment we're putting on the ground in Dawson, these kinds of things are unknowns and we have to manage them as we move forward inside the contract.

Mr. Inverarity: Okay, and so the project, overall, will be finished within the original time frame that was identified when the project went ahead, so apart from this movement of dollars from one fiscal year to the next fiscal year we can expect it to be on time and on budget then?

Hon. Mr. Lang: Certainly we in the Department of Community Services have charged the Department of Highways and Public Works to do the actual on-site building, so that question should be best asked once the Department of Highways and Public Works and I have the capable people here who can answer that question for him.

Mr. Inverarity: As the critic for Highways and Public Works, I'll bring it up with the minister when he puts on that hat.

Let's move on to another project that's affected by the supplementary budget, and that's the Champagne and Aishihik First Nations cultural centre, which was reduced by some \$4.5 million. Can the minister provide us with an explanation for the change in the plans and what is new and what the new plan is for completing this particular project?

Hon. Mr. Lang: Again, that's another project that we're not really on the ground managing. The Champagne and Aishihik First Nations cultural centre is a First Nation project, and there's a \$4.523-million decrease due to late construction start due to delays in design phase. That's a delay in timing.

Mr. Inverarity: I thank the minister for his response. A line item in the capital budget, entitled "Planning and Administration" has been reduced by about \$3.5 million also. Can the minister provide us with the specifics of this item and what the planning and administration funding applies to and why is it being reduced by so much?

Hon. Mr. Lang: There was a vote of \$4,532,000. In that, there was a decision on which ones we would go forward with, because of timing again. Again, we're back to the water projects throughout the territory — Carmacks waste-water collection system. I could maybe send a copy of all this over. I could read it into the record, but really, is it necessary? There's a list of projects here that will answer the member's question.

Mr. Inverarity: Just so I'm clear then, in the capital budget, the planning and administration — the reduction is because of the water treatment planning that has been going on and it's going better than what we expected. I've seen the list of all the water treatment centres that are going to be done, but this specific capital budget planning and administration relates to a reduction in water treatment. It just strikes me as odd that normally that kind of stuff is more, not less. Is it going a lot slower with the water treatment planning? Is that the issue?

Hon. Mr. Lang: Certainly, we try to get as much done as we can in season, but again, everybody in the House knows that we have a short building season and of course a lot of these investments are in small communities throughout the territory.

In addressing the member opposite, it entails not only our water upgrades, but there are resources for road drainage upgrades. There is BST in the streets in Carcross, material recycling, sorting facility, phase 1, a transfer station recycling — so there are quite a group of investments that we're doing throughout the territory. Like I said, a majority is for upgrading our water supply in the communities, but there are other things in the mix, but again it's the amount of work we can get done in any one season when we put the jobs forward.

Mr. Inverarity: On another project along the same lines, the funding for the arsenic treatment upgrades — while we're talking about that — has also been reduced by \$1.3 million and the Dawson City recreation centre funding was reduced by \$1.1 million. Could the minister provide us with an explanation of what happened there and what the plan is to fund the completion of these projects?

Hon. Mr. Lang: We're working with the City of Dawson and the First Nation on a go-forward plan for their new hockey arena, the establishment that the city and the First Nation are working on with us in partnership. We as a government committed a number over the four-year period to stabilize the existing structure, which has been a very expensive endeavour in the City of Dawson. We've been working with the city and the First Nation. It was a \$4-million commitment.

What we're doing with those resources is looking at different ways of investing it but moving forward with the plans and the partnership to build a whole new recreational facility in Dawson and, of course, working with the existing recreational facility to make sure that there are investments in it to make sure that it's safe as we go forward with the plans and eventually the construction of a whole new site for Dawson City.

Mr. Inverarity: Just so I understand the \$1.1 million in the supplementary for the Dawson City recreation centre, is that funding to continue to fix the old recreation centre or has there been a decision made to scrap that and move forward with a brand new facility? Is this \$1.1 million going to be used, or it's a reduction — but is there a decision made to go ahead with a new recreation centre in Dawson City, and is funding being given for that?

Hon. Mr. Lang: Certainly, in the partnership of the city and the First Nation, we have amended the recreational centre agreement to allow funds to be used to establish a new site for a recreational facility in Dawson. So, yes, as we move

forward, this government would replace the existing building in Dawson, in partnership with the First Nation and the City of Dawson as we move forward with the plan and the drilling program they have been doing to pick a suitable site for a new complex in Dawson.

Mr. Inverarity: Just to follow up on that — I believe it's \$4 million the minister referred to over five years. That is actually to construct this new recreation centre wherever the city and the First Nation decide to put it?

Hon. Mr. Lang: This \$4 million was a commitment by this government to work with the City of Dawson to stabilize their existing hockey arena. So this has been over since February 2009 and was amended, of course, in July 2010. There were priority repairs that had to be done and upgrades related to safety in the recreational centre. Any remaining annual funds were to be used toward establishing a location for a new recreational centre. The \$4 million is being spent — the majority of it — to make sure that the existing building is safe for use until such time as the City of Dawson, ourselves, and the First Nation put together a plan on how we're going to replace that building.

But the government has made a commitment to work with those two governments to replace the recreational centre in Dawson City. So parts of the \$4 million can be used in drilling and enhancement, so that we can move forward with engineer drawings and decisions on where the building could go — because everybody in the House understands the situation Dawson finds itself in with permafrost and other engineering issues they have. But, no, the \$4 million — the majority of it, I would say, has been used in stabilizing the existing building. Certainly, we have given the green light to use whatever is left of those resources for the drilling program and moving forward on a new recreational facility for the City of Dawson.

Mr. Inverarity: Well, that's great. Just one last question, I think, on this: the actual \$4 million is used for O&M to repair the site that is currently in use, the rec centre, and the rest of it is being used as capital toward the planning and design work on a new facility — so it's sort of mixed use?

Hon. Mr. Lang: The building was built — I could be proven wrong but it did exist when the Yukon Party took over government in 2002, so the structure has been there for a period of time. We all know that the structure, when we came to an agreement with the City of Dawson — and we all know the City of Dawson had financial problems when we acquired government. Part of the agreement we had was that we would take on and stabilize the recreation facility so the community could use it, because the city couldn't afford the investment on the ground.

If you were to look at what has been done over the past year, it includes initial roof repair — and that has always been an issue on that building — structural assessment and geotechnical surveys to determine the magnitude and source of movement of the building. In other words, there is a constant cost of engineering to make sure the building is safe as we move into the next phase, which is a new recreational facility.

The next steps are to explore options for a new site for the recreation centre, and that is being done now. It is being led by

the City of Dawson — the municipality — and ourselves, and of course, the First Nation is partnering with us to get that done. So the options are going to be put in front of us as the three governments, to see where we're going to move. But definitely this government is committed to finally resolve the recreational facility issue in Dawson City.

Mr. Inverarity: I thank the minister for that response and I'm happy to see that it's moving ahead for the good citizens of Dawson City.

One of the projects that received some additional funding in the supplementary budget is the Kwanlin Dun cultural centre. The budget has increased by about \$3 million. Can the minister tell us what the increase is for and why the increase is needed?

Hon. Mr. Lang: That's timing. The building is ahead of schedule, so some of the resources were demanded earlier because of where the project is, so that's good news. That means that we will be in the library this coming fall and we certainly look forward to that.

Mr. Inverarity: I thank the minister for that answer. There also seems to be a number of new projects that are identified in the supplementary budget. One of the new projects in the capital budget is called the "Carcross BST Streets/Highway Turning Lanes." There is an allocation of some \$1 million for this particular project, but we could find no mention of this project in previous budgets. Perhaps this was previously identified under another project name or something along those lines. Could the minister tell us what this project is, where it came from, and why it suddenly made its way into this supplementary capital budget at the tail end of the fiscal year?

Also, there are a number of other new projects being funded in the supplementary budget. If the minister could provide a breakdown of these newly funded initiatives, either in writing or otherwise, that would be also appreciated, but I'm mostly interested in the one in Carcross.

Hon. Mr. Lang: This all falls under Building Canada and certainly was identified in the Building Canada funding process, so this is an increase to resurface roads and upgrade drainage along the roads in Carcross.

As you know, this government has put extra resources toward Carcross to make it a destination. Certainly, this was a very much-needed investment in Carcross. If you were to go to Carcross today and see the improvements that have happened in that little community, you could certainly see where the resurfaced roads and upgraded drainage along the roads in Carcross are very necessary from a visitor point of view and also it makes the community a better place to live. So it's Building Canada, and it certainly is a well-needed investment in that community.

Mr. Inverarity: I'm almost finished my questions, but I have a couple more. With regard to the various aspects of land development and the supplementary capital estimates, the total reduction in this area is some \$2 million. All the monies allocated for recreational land development have been cut in this supplementary budget. Can the minister provide us with an explanation for these changes, and if he could tell us what the

government has in mind for recreational land development, that would be most appreciated.

Hon. Mr. Lang: Again, that decrease in investment is due to consultation with First Nations, which is part of our obligations. It has delayed work on recreational lots and, of course, it's 100-percent recoverable from third parties once it's invested. So it has been delayed by the consultation we have been doing with the affected First Nations in their traditional territory.

Mr. Inverarity: One last question. It's more of a personal nature, as the minister is also the MLA for Porter Creek Centre. I would like to know what the member's position is with regard to a highway corridor from Mountainview Drive to the Alaska Highway and whether or not he supports that position.

Hon. Mr. Lang: Certainly, I'm not going to speak for the City of Whitehorse, and I look forward to the decisions the city makes. Of course, as the minister responsible for municipal affairs, it would be inappropriate for me to second-guess the municipality. It is their decision and I look forward to that decision if it's made.

Mr. Cardiff: I would like to thank the officials for their attendance here in the Legislature today, too, and thank the officials for the briefing that was provided on the budget.

The Member for Porter Creek South has asked many of the questions I had, so I don't have many questions left, but I do have a question around the Carcross BST, streets and highway turning lanes. As the Member for Porter Creek South pointed out, this is a new item in the supplementary budget. I don't see it appearing in the capital for the coming year, 2011-12. There's a million dollars there. I'm wondering where this project is at with regard to planning being done. Is it still in the planning stages and will it be complete by March 31? That's what this supplementary budget is for, for a project that theoretically would be complete by March 31.

Hon. Mr. Lang: As a department, we plan to have that project finished by March 31, if we're successful getting the appropriate individuals and contracts in place to move forward. It's a very important part of what we've been doing over the last five years in Carcross so we look forward to having the project done; we're very optimistic we can do just that.

Mr. Cardiff: There has been a lot of work done in Carcross. I've been spending a lot of time in Carcross lately. I know that the residents of Carcross appreciate all the work — on the boat launch, the gateway facility, the carving facility, the new bridge, and all the roadwork that has gone on. But I just think the minister needs to check. He might want to go outside and check the temperature and he may also want to contact the contractors and see whether or not they're going to have BST surfacing available before the end of March.

Hon. Mr. Lang: In answering the member opposite, we do have seasonal issues with all of our investments, but we are looking forward to having the resources together to finish that project over the next period of time. We have, as a government, put Carcross as a priority and we have invested money on the ground to make that a destination. With the destination and the number of buses that come into that commu-

nity, without having planned parking and planned access to the community, it became quite dangerous in some points because of the lack of drainage on the streets and also the question of having 10 or 15 buses moving around the little town of Carcross. We had to invest on the ground and put the BST in place, widen the streets in some places, widen the entranceway to the community itself so that people, when they came out of the community of Carcross, could see both ways. Plus the buses had to have turning lanes, so yes, we're going to invest in Carcross and look forward to this project getting done as quickly as we can do it.

Mr. Cardiff: Well, I agree with the minister. As I said, I've been there quite a bit lately and the name of the new riding is going to be the beautiful Mount Lorne and Southern Lakes, I'm sure.

I drove around Carcross and noticed the road realignment as well, which I believe increases safety issues when it comes to traffic in Carcross. What I'm looking for in answer from the minister is, does the minister intend to lapse some of this funding in order to complete the project in the next fiscal year?

Hon. Mr. Lang: As we move forward in managing our budgets, certain points of it are lapsed. What I can tell the member opposite is that we're committed to getting the drainage, curbing, traffic and BST in place as quickly as possible. This investment will have to be spent on the ground in Carcross; it will be spent on the ground in Carcross. We look forward to the finished product.

Chair: Is there further general debate?

Seeing none, we'll proceed line by line in Vote 51.

Mr. Cardiff: I would like to request the unanimous consent of the Committee to deem all lines of Vote 51 cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 51, Department of Community Services, cleared or carried

Chair: Mr. Cardiff has requested the unanimous consent of Committee of the Whole to deem all lines of Vote 51, Department of Community Services, cleared or carried, as required. Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$802,000 agreed to

On Capital Expenditures

Total Capital Expenditures underexpenditure in the amount of \$19,952,000 cleared

Department of Community Services agreed to

Hon. Ms. Taylor: I move that we report progress.

Chair: It has been moved by Ms. Taylor that Committee of the Whole report progress.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 23, *Third Appropriation Act, 2010-11*, and directed me to report progress.

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

Some Hon. Member: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.

The following Sessional Paper was tabled February 21, 2011:

11-01-202

Appointments to Major Government Boards and Committees,
Standing Committee on: 17th Report (dated February 21, 2011)
(Taylor)