

**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, April 11, 2012 — 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 International Day of Pink

Hon. Mr. Pasloski: I rise in the House today to pay tribute to the Day of Pink. April 11 marks the International Day of Pink. On this day, communities across the country and around the world unite in celebrating diversity and raising awareness to stop homophobic, transphobic and other forms of bullying.

The International Day of Pink was started in Nova Scotia when two straight high school students saw a gay student being bullied because he was wearing a pink shirt. The two students intervened, but wanted to do more to prevent homophobic and transphobic bullying. They decided to purchase pink shirts, and a few days later got everyone in school to arrive wearing pink and to stand in solidarity. As a result, an entire school stood together to stop this unacceptable behaviour.

The message was clear — anyone can bully, anyone can be victimized from bullying, but together we can stop it. Each year on the second Wednesday of April, people wear pink to remember that positive actions make a difference and that the change starts with each one of us. Day of Pink is more than just a symbol of shared belief in celebrating diversity; it's also a commitment to being open-minded, to being understanding of differences, and to learning to respect each other.

We invite everyone — schools, businesses and community organizations — to make a difference and to participate. Across the world, discrimination continues to be a leading source of conflict. Discrimination can happen based on a wide spectrum of differences. There are many ways in which discrimination can manifest itself. Stereotypical ideas often lead to prejudices that may easily lead to discrimination that will affect how we work, study and treat one another. Ultimately, these stereotypical ideas create barriers: bullying, harassment, hate and violence. I urge everyone in this House, and our fellow Yukoners, to stand united against discrimination and bullying in whichever form it may occur.

Thank you.

Ms. Moorcroft: On behalf of the Official Opposition, I rise to pay tribute to the International Day against Bullying, Discrimination, Homophobia and Transphobia, also known as the Day of Pink, celebrated on the second Wednesday in April. The Day of Pink was started in Nova Scotia when two high

school students witnessed another student being bullied for wearing a pink shirt. After they intervened, they began thinking about what they could do to help prevent homophobic bullying.

They decided to stand in solidarity by wearing pink shirts — and I'm pleased to see most members of the Assembly wearing pink shirts today — and a few days later, those students decided to get everyone in the school to do the same.

In one study, almost two-thirds of lesbian, gay, bisexual, transgender — or LGBT — students and the same number of students with LGBT parents reported that they felt unsafe at school. Transgender, gay and lesbian students have also reported being verbally harassed about their perceived gender or sexual orientation.

Bullying due to discrimination comes in many forms, not just toward LGBT persons. Discrimination includes racism, sexism, homophobia, transphobia, agism and anti-Semitism, just to name a few. It creates barriers. Bullying and violence targeted at people because of their perceived sexual differences can be psychological or physical, including murder. No one should have to experience discrimination.

Historically, persecution of homosexuals was mostly limited to male homosexuality. During the medieval and early modern period, the penalty was usually death. Today, homosexual acts remain illegal in 80 countries worldwide. Five of these countries carry the death penalty for homosexuality or lesbianism.

Violence against LGBT people can occur through legislation that prohibits homosexual acts or by random intimidation and assault motivated by homophobia. Discrimination against sexual minorities is a hate crime. Wearing pink remains a strong symbol for standing up for what is right. It's also a commitment to being open-minded and accepting differences. It helps to educate all of us about the effects of bullying for any reason. Many schools and teacher organizations use this day to instruct students about tolerance and understanding. The Day of Pink is now a day when communities across the country and across the world unite in celebrating diversity and raising awareness to stop homophobic and all forms of bullying. The message is clear. Anyone can bully. Any person can be victimized by bullying, but together, we can stop it.

Mr. Silver: I rise today on behalf of the Liberal caucus to pay tribute to the International Day of Pink. Marked annually on the second week of April, the Day of Pink began five years ago in Canada when, as the Hon. Premier and as the Member for Copperbelt South mentioned, two straight students from Nova Scotia intervened after seeing a gay student who was wearing a pink shirt being bullied.

Now, on the international day, people across Canada and around the world will wear pink as part of a campaign against bullying, discrimination and homophobia in schools and in our communities. This day brings to the forefront the devastating consequences of bullying and affirms that this destructive behaviour must be stopped. Bullying is an issue that touches all people, directly or indirectly, regardless of their age, gender, culture, religion or nationality. Bullying comes in many forms

— physical, verbal and relational — and cyber bullying is rampant in the on-line lives of students of all ages.

Bullying happens every day in schools, malls and on the Internet. One in five Canadian youth report being bullied regularly. Before one can tackle bullying in schools, one must first be convinced of its harmfulness. Unfortunately, now there is a great deal of hard evidence regarding the physical and mental harm that continual bullying does to vulnerable children and is an underlying factor in depression and the struggle for identity.

School environments can sometimes be exclusive instead of inclusive. Students are left to form their own groups and are considered either “in” or “out”. Conformity is high on the list of kids’ priorities, and rejection, for whatever reason, is particularly painful. Dignity and respect is a two-way street. In order to teach it, educators must provide it.

Bullying, homophobia, intolerance and incivility have no place in our schools. We must provide a safe learning environment for all of our students — an environment where children understand from the moment they start school that bullying, aggression and violence are not acceptable. We must have an anti-bullying policy that has accountability for the bullied so the potential bullies will perceive that their aggressive behaviour is unacceptable. We cannot be indifferent to what is happening. To those who stand by and do nothing, we make bullying worse.

Though we have seen many positive changes in society’s attitudes, we still have a long way to go. We must all work together on preventing bullying in our communities through education and awareness. Bullying is not just a school problem; it is also a community problem.

Bringing Youth Towards Equality, or BYTE, as it is known, has been in existence since 1998, providing opportunities and fostering positive relationships. BYTE builds on the strengths of our youth. They have helped our youth to unite, to strengthen their voice, take action and bring positive change for the well-being of everyone. BYTE has been a strong voice and advocate against bullying. We would like to take this opportunity to thank the staff at BYTE for their support in providing and promoting activities and events that our young people can take part in throughout the year.

Thanks to the many sponsors — the governments of Canada and Yukon, First Nations, City of Whitehorse and corporate funding and business donations — for their support to our youth by supporting BYTE.

We ask all Yukoners to join in solidarity against bullying. For the hundreds of victims who have been bullied into silence, students and adults alike come together and take a stand. Make your voices heard and wear pink. Now is the time to commit yourself to being part of the solution. Let us resolve as a society to promote tolerance and acceptance of each and every one of our fellow citizens.

In recognition of National Wildlife Week

Hon. Mr. Dixon: I rise today in the House to ask my colleagues to join with me in recognizing this year’s National Wildlife Week, April 8 to 14. It is celebrated every year from Sunday to Saturday, the week of April 10 — the birthday of Jack Miner, one of the founders of Canada’s conservation

movement. It is timely that this year’s event starts the Easter holiday weekend when many of us have had some free time to take up the call of the Canadian Wildlife Federation and walk for wildlife.

It’s a special year for the federation, as it celebrates its 50th anniversary and reflects on its pioneering efforts to protect fish and wildlife, their habitat and special places. As Minister of Environment, I know that the future of our fish and wildlife populations, the habitat and our biodiversity is a shared responsibility that crosses many boundaries.

We’ve worked with First Nations, renewable resource councils, communities, private companies, NGOs, provincial, territorial and state governments and programs designed to make sure that we continue to have wildlife and clean land and water for years to come.

Two of the many ways that we’ve achieved this are with wildlife management plans along with regulatory changes developed with the participation of a wide Yukon public. We also look at April as Biodiversity Awareness Month and have an appreciation for the many living, natural resources that help us smile and wonder about nature’s beauty.

With respect to animal health issues, Yukon now has the capacity to respond to any issues related to wildlife and livestock through the services of the comprehensive animal health program housed in the Department of Environment. The animal health portfolio is shared between the departments of Environment and Energy, Mines and Resources and provides services to other departments, including Community Services and the Department of Health and Social Services.

In January 2009, the Yukon government approved the establishment of the animal health program, including a chief veterinary officer, a program veterinarian, and a fully staffed laboratory at the Department of Environment. The CVO is responsible for program development and provides expert advice on animal health, including disease surveillance and diagnostic services for both wildlife and domestic animals, and support related to public health interest through liaison and partnerships with internal and external agencies.

The program veterinarian develops and delivers government animal health programs, including wildlife capture, livestock health programs and disease surveillance. The Department of Environment modified its laboratory to ensure more comprehensive services are aligned with national standards, such as tracking, biological samples and inter-agency information sharing.

Seeing wildlife is often the highlight of a trip in Yukon. Yukon enjoys many special northern species not common or not found in lower latitudes. Whether it is moose, caribou, gyrfalcons, swans or rare plants you wish to see, take the time and get to know where the best viewing opportunities are. The wildlife viewing program will help you find these sites and give tips about what else is out there that you may not have noticed.

As you plan for your Yukon vacation, use the *Yukon Wildlife Viewing Guide* to help prepare for your trip. Find out where, when and how to see wildlife along Yukon roads. This handy guide lists wildlife viewing sites and trails and includes

species descriptions, maps, viewing tips and other information to help you safely watch and learn about Yukon's wildlife. This weekend is an excellent time to look at the many events that are being held this month and into May — events that celebrate our land, its natural beauty and our wildlife. Whether you decide to see the swans in the Southern Lakes area or just go for a walk along the trails in your community, this is a wonderful time to enjoy the Yukon spring, especially through this, the 49th National Wildlife Week in Canada. Thank you, Mr. Speaker.

Ms. White: I rise on behalf of the Official Opposition to pay tribute to National Wildlife Week.

National Wildlife Week began in recognition of the birthday of Jack Miner, a pioneer in the work of conservation in Canada. The bill to commemorate National Wildlife Week was passed unanimously in the House of Commons in April of 1947 and has been celebrated every year since. Pierre Trudeau said, in issuing a proclamation for National Wildlife Week, and I quote: "Jack Miner, with his vision and determination is largely responsible for those conservation measures in existence today."

Jack Miner's passion for wildlife and nature led him to establish a bird sanctuary in Kingsville, Ontario in 1904. It was the first of its kind on the continent to provide food, shelter and protection from hunting for migratory birds. Miner banded 50,000 wild ducks and 40,000 migratory Canada geese at that sanctuary between 1909 and 1944. His research was used by both the Canadian and U.S. governments to create the original *Migratory Bird Treaty Act* in 1918, which placed restrictions on hunting for the first time in an effort to preserve water fowl populations.

Miner lectured across North America, wrote numerous articles and two books on bird life and conservation. He was awarded the Order of the British Empire in 1943 for the greatest achievement in conservation at that point. Jack Miner was just one of many naturalists who have contributed their energy and ideas to the conservation of our wildlife.

We have had the benefit of several pioneer naturalists in the Yukon, including John Lammers and Bob Frisch. John was one of the founders of the Yukon Conservation Society. Bob explored bird life on the Dempster Highway. He discovered the surfbird, which at that point was not considered indigenous to the Yukon. Both men have written about their experiences. Our special wild places deserve full support and recognition by protection and conservation by our government. Biologists have a growing list of concerns for the Yukon, including wetlands, which were a very special interest to Jack Miner so many years ago.

In 1998, all Canadian jurisdictions signed the *Accord for the Protection of Species at Risk*, including the Yukon. We look to the day when this will be followed by legislation passed in this House.

Mr. Elias: I rise today on behalf of the Liberal caucus to pay tribute to National Wildlife Week 2012. National Wildlife Week is celebrated in all parts of the world. In Canada, National Wildlife Week was created in the memory of Jack

Miner, who spent his lifetime teaching and speaking on wildlife conservation, environmental techniques and the importance of creating sanctuaries for the protection of wildlife. We celebrate National Wildlife Week on the 10th of April each year to mark the birthday of Jack Miner.

There are few places left on the planet where the impact of people has not been felt. We have explored and left our footprint on nearly every corner of the globe. As our population and needs grow, we have less and less room for wildlife.

Climate change is also having an impact on all kinds of wildlife. The shift in temperatures, seasons and weather are happening so fast that wildlife has little chance to adapt to changes in key habitat elements; namely, food, water, shelter and space. In the future, the fate of many species will depend on their ability to move from unfavourable climatic conditions to ones that meet their survival needs.

In the Yukon, we are truly blessed with the wilderness outside our back door. As Yukoners, we share a vast land base with a wealth of wildlife. No other place in Canada is home to both Arctic species and southern species of animals. It is by raising awareness about our Canadian and in particular our Yukon wildlife, and the importance of their habitat, that we can hope to protect our wildlife species and spaces.

Although we are becoming more aware of the issues of climate change, invasive species, endangered species, and the decline in water quality, there is still much to be accomplished in order to restore and maintain wildlife habitat. We must be diligent in our efforts to educate individuals, to help instill a conservation ethic, and inspire a lifelong appreciation of our wildlife and environment.

During National Wildlife Week, we take the time to explore and embrace the nature and wildlife that surrounds us. Why not take a visit to the Yukon Wildlife Preserve, or Swan Haven, or check out Sheep Mountain in Kluane, or Faro's Sheep & Crane Viewing Festival; or maybe even drive the Dempster or the Annie Lake Road — but bring binoculars, or attend the spring stories around the campfire this week with elder Ida Calmegane in Tagish; or participate in the Johnsons Crossing swan walk. We simply encourage people to participate in one of the many events taking place around the territory during National Wildlife Week.

National Wildlife Week raises the awareness of our need to ensure that wildlife populations and their habitats in all areas of Canada, both on land and in the water, are conserved in a sustainable manner so that they can be enjoyed by future generations.

Remember it is our responsibility to protect nature, our wildlife, their habitat, and the world we share. We are each responsible for conducting our lives and businesses in a way that minimizes impacts on local wildlife.

We would also like to offer our congratulations to the Canadian Wildlife Federation as they commemorate 50 years of conserving and protecting our Canadian wildlife and its habitat. We must all strive to become better stewards of our environment. We must protect the Earth's environment in order to achieve a peaceful, equitable, sustainable future. Your actions can and will make a difference. Thank you.

Speaker: Introduction of visitors.
Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Tredger: I rise to table the following documents: *Examination of Possibly Induced Seismicity from Hydraulic Fracturing in the Eola Field, Garvin County, Oklahoma* — Oklahoma Geological Survey.

The second one is the *Preliminary Report on the Northstar 1 Class II Injection Well and the Seismic Events in the Youngstown, Ohio, Area* — the Ohio Department of Natural Resources.

The third one is the *SEAB Shale Gas Production Subcommittee Ninety-Day Report August 11, 2011* — the Shale Gas Subcommittee of the Secretary of Energy Advisory Board.

Speaker: Are there any reports of committees?
Are there any petitions for presentation?
Are there any bills to be introduced?
Are there any notices of motion?

NOTICES OF MOTION

Ms. McLeod: I rise in this Assembly to give notice of the following motion:

THAT this House urges the Government of Yukon to continue using technology to make more government services available on-line and to improve existing on-line services.

I also give notice of the following motion:

THAT this House urges the Yukon government to use the 2012-13 budget to provide \$1.86 million to extend the licensed practical nurse program at Yukon College until 2016.

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

THAT this House urges the Yukon government to use the 2012-13 budget to allocate an additional \$457,000 to the home care program to meet the significant growth in client numbers and complexity of care needs.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to continue to invest in Yukon's transportation infrastructure, including:

- (1) \$15 million under the Shakwak project for the Haines Road and north Alaska Highway and a further \$1 million from the Yukon government for the north Alaska Highway;
- (2) \$7.25 million for reconstruction of the Campbell Highway from kilometre 10 to 190, and a further \$1.5 million for surfacing;
- (3) \$1.6 million to replace culverts at Too Much Gold and Allgold creeks on the Klondike Highway;
- (4) \$1.45 million to improve safety and road conditions on the North Canol Road;
- (5) \$2.6 million for reconstruction, BST and revegetation work on the Atlin Road; and
- (8) \$2 million for the Takhini Hot Springs Road reconstruction.

Mr. Tredger: I rise to give notice to the following motion:

THAT this House urges the Government of Yukon to support federal private member's Bill C-354, which seeks to ensure corporate accountability for Canadian extractive industry firms operating abroad by broadening the mandate of the Federal Court so that it protects foreign citizens against rights violations — including human, labour and environmental rights — committed by corporations operating outside of Canada.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to take into consideration the latest information on the causal linkages between hydraulic fracturing and earthquakes, including the following tabled reports:

- (1) *Examination of Possibly Induced Seismicity from Hydraulic Fracturing in the Eola Field, Garvin County, Oklahoma*. Oklahoma Geological Survey, Open-File Report OFI-2011, August 2011;
- (2) *Preliminary Report on the Northstar 1 Class II Injection Well and Seismic Events in the Youngstown, Ohio, Area*. Ohio Department of Natural Resources, March 2012; and
- (3) *The SEAB Shale Gas Production Subcommittee Ninety-Day Report — August 11, 2011*. The Shale Gas Subcommittee of the Secretary of Energy Advisory Board, August 2011.

Ms. White: J'ai presenter de motion:

QUE ce chamber engage le gouvernement du Yukon d'assurer la mise en oeuvre de l'égalité de statut du français et de l'anglais au Yukon, et d'appuyer le droit des Membres de l'Assemblée d'utiliser le français dans les débats et les travaux de l'Assemblée législative selon la *Loi Sur Les Langues* en:

- (1) autorisant, par une décision de l'assemblée, les traductions demandées des comptes rendus et des process-verbeaux de l'Assemblée incluant le hanskard et des autres travaux de l'Assemblée législative; et
- (2) dirigeant le comité de SCREP a programmer un reunion de SCREP avant le fin de Mai 2012 pour adresser ces affaires.

Would you like this also in English, Mr. Speaker?

I give notice of the following motion:

THAT this House urges the Government of Yukon to support the implementation of the equality of status of French and English in the Yukon and to support the right of the Members of the Legislative Assembly to use French in the Legislature according to the *Languages Act* by:

- (1) authorizing by resolution of the Assembly the translation of requested records of the Assembly's work; and
- (2) directing the Chair of the Standing Committee on Rules, Elections and Privileges to convene a meeting of the committee prior to the end of May 2012, in order that the committee may consider this and other outstanding matters.

Speaker: Is there a statement by a minister?
This brings us to Question Period.

QUESTION PERIOD

Question re: *Financial Administration Act* amendments

Ms. Hanson: Yesterday the Yukon Party government's so-called minor amendment to the *Financial Administration Act* was exposed as a sweeping measure that could result in a ban on tent city. It is a cruel response to a deepening housing crisis. The government's desire for new powers to keep the hard-to-house and itinerate job seekers moving harkens back to the prohibitions of the Dirty Thirties against vagrants. The Yukon Party has been in government for 10 years. It fiddled while it saw the housing crisis deepen.

My question is simple for the Premier: Why is the government using the blunt instrument of the law to attack victims of the housing crisis?

Hon. Mr. Pasloski: The purpose of the amendment bill is to help the government balance two important responsibilities: (1) to safeguard people's ability to exercise their democratic rights and freedoms, and (2) to keep public facilities safe and accessible.

Most Canadian jurisdictions have legislation to control the use of public property. This amendment bill is based on federal legislation already in place to manage federal government buildings, including Parliament Hill, and has been tested in the courts.

As this amendment bill applies to government-owned or leased properties, the Minister of Highways and Public Works is the lead on these changes.

Ms. Hanson: It gives many Yukoners comfort to think that we'll have bunkers in front of the Legislative Assembly next. You know, there are so many examples of how 10 years of Yukon Party rule has failed Yukoners struggling with real housing needs. The Northern City Supportive Housing Coalition's well-thought-out proposal was rejected. The old staff residence on Hospital Road was still sitting unoccupied. \$13 million in affordable housing money still sits unspent. Their much-trumpeted Lot 262 plan consists of a meager 30 affordable rental housing units due out in 2014.

It's no wonder that people stake their tents on the grounds of the Legislative Assembly. They were the hard-to-house Yukoners long ignored by this government. They were the newcomers mentioned by the Chamber of Commerce following the golden trail for jobs who found no affordable places to live.

Why is this government, through its sweeping *Financial Administration Act* amendments, punishing the victims of the housing crisis rather than recognizing the need for a compassionate response to this emergency?

Hon. Mr. Kent: In response to the Leader of the Official Opposition's question, of course the Yukon government is doing significant work to tackle affordability and adequacy of housing at all points along the housing continuum.

This, of course, includes emergency shelters, transitional housing, supportive housing, social housing, private market rental and home ownership. This is the responsibility of a number of ministers on this side of the House, including the Minister of Energy, Mines and Resources, Minister of Community Services, Minister of Health and Social Services and, of course, the Yukon Housing Corporation. There has been significant

work accomplished in the past — a 40-percent increase in the social housing stock by the Yukon Housing Corporation. We see in the budget that is before this House, \$35 million allotted for lot development and, of course, working with the private sector to increase the private rental market.

As you can see, there has been quite a bit accomplished by previous Yukon Party governments. We are looking to accomplish more with the budget that is before the House right now, and, of course, our plans going forward are to address the housing shortage in the Yukon, not only through work of the government but also by engaging the private sector.

Ms. Hanson: It is clear when we look at the budget that there is \$500,000 for social housing. Looking back over 10 years of Yukon Party rule, it is clear that the government's handling of the housing file has been typified by inaction and indifference to the real struggles of Yukoners. Take the case of 207 Alexander Street. Over two years ago the minister talked about getting the building into a more serviceable condition for use. Yesterday, the current minister said they were, "in the process of implementing or building or renovating 207 Alexander Street to make that available for people who are hard to house".

Over the winter, I heard that 207 Alexander sat empty and heated. Why the rush to have laws to evict but no rush to get 207 Alexander into a state ready for use?

Hon. Mr. Kent: When we're discussing the current budget that's before the House, the total capital vote for the Yukon Housing Corporation is almost \$16 million. So although the Leader of the Official Opposition chooses to cherry pick certain aspects of the capital budget, there is a significant investment being made by this Yukon Party government in housing, not only through the Housing Corporation, but again, through other initiatives, such as \$4.5 million for second-stage housing at Kaushee's Place, which was announced prior to this sitting by the Premier and the minister responsible for the Women's Directorate. We're seeing significant investments in lots for home ownership. There's a variety of loan programs that are available from the Yukon Housing Corporation, not only for people who are looking to purchase homes, but people looking to revitalize rental units and create garden suites. So there are a number of initiatives that this government is undertaking to address what was the number one issue that many of us heard on the doorsteps last fall: housing for Yukoners.

Question re: *Water management strategy*

Ms. White: Yesterday in this House the Minister of Environment avoided answering a very important question — a question that has a profound impact on the quality of our water resources and environment.

Mr. Speaker, we have heard word that the wholesale responsibility for inspecting water licences for mining projects is about to be transferred from Environment Yukon to the Department of Energy, Mines and Resources. So I will ask it again: Will the Minister of Environment confirm or deny this transfer of his ministerial responsibilities?

Hon. Mr. Dixon: When it comes to the inspections of compliance for mining and water use, the departments of Energy, Mines and Resources and Environment work together

quite closely. In the case of water use for placer mining, staff from the Client Services and Inspections division of EMR has ably and effectively carried out inspections for several years now. More recently and specifically, this has been the case with the Minto mine.

Now, Mr. Speaker, we as government and, of course, I as minister, remain expectant and confident that officials in each and every department with legal obligations related to monitoring and inspections are fulfilling their duties under the law and in the public trust.

Ms. White: We're all familiar with the age-old story about the fox guarding the henhouse. Mr. Speaker, will the Minister of Environment tell us what his position is on letting Energy, Mines and Resources be not only the inspection body, but also the promoter and the collector of fees for the resource extraction industries?

Some Hon. Member: (Inaudible)

Hon. Mr. Cathers: I really have to, again, object to the terminology that the Member for Takhini-Kopper King chooses to use in characterizing the staff of the Department of Energy, Mines and Resources. As the Minister of Environment said, the government has absolute confidence that staff of any department tasked with responsibilities around monitoring and inspection do their job that they are legally obligated to do and fulfill the public trust that is placed upon them. For the Member for Takhini-Kopper King to characterize the Department of Energy, Mines and Resources' work as the "fox guarding the henhouse" is very offensive, and I would ask that the member retract that statement and that characterization toward the staff of my department.

Ms. White: I'd like to point out that the only member referring to staff is the minister opposite.

Yesterday, the minister seemed unclear about ministerial responsibility. Ministerial responsibility is a constitutional convention in governance using the Westminster system, such as ours. Ministerial responsibility states that a Cabinet minister bears the ultimate responsibility for the actions of their ministry or department.

Mr. Speaker, when will this minister stop passing the buck and take responsibility for the direction he has given his department?

Hon. Mr. Dixon: As minister, I of course have to rely on officials to do a number of things in the department. When it comes to identifying areas for additional water monitoring, I rely on hydrologists. When it comes to monitoring mining water use, I rely on officials to do that as well.

And, as indicated by the Minister of Energy, Mines and Resources, this government, of course, has every confidence in the department staff to fulfill their legal obligations relating to monitoring and inspections and are sure they're fulfilling their duties under the law and in the public trust.

Question re: Dialysis service

Mr. Silver: Diabetes affects Yukoners at a higher rate than the rest of Canada, but Yukoners still have to travel outside of the territory to receive dialysis. The national diabetes surveillance system estimates that some 5.5 percent of Yukon adults have diabetes. That works out to over 1,500 people. The

number is probably higher, as the Auditor General has pointed out, since the Department of Health and Social Services' numbers are incomplete. The department doesn't identify the reasons for doctor visits and doesn't collect all community-based diabetes information. Can the minister help explain why, despite the high incidence of diabetes, there is no dialysis service offered in the Yukon?

Hon. Mr. Graham: The reason that there is no dialysis machine in the Yukon right now is because our department has conducted an analysis, and there simply would not be sufficient use of the machine to warrant the expense at this time. We monitor the situation on an ongoing basis.

As of this fall, we will be producing a new report called "key indicator report", which will indicate how many people in the territory suffer exactly from each chronic condition. By utilizing that report, we will be able to make decisions in the future.

Mr. Silver: We are hearing differently. We hear a demonstrated need in this department. The Minister of Health and Social Services will remember that the Auditor General singled out the department's poor record-keeping for criticism. That is, we don't know how many people have diabetes or how many are being treated for it, and we don't understand their treatment needs very well currently. The Auditor General said that the operational decisions are being made with incomplete information. So, to provide the minister with information that we directly get from Yukoners, residents with diabetes cannot regularly travel Outside for treatment while maintaining their health, their homes and their businesses in the Yukon.

Does the Minister of Health and Social Services believe that we are doing enough for many Yukoners living with diabetes, or does he share our opinion that we would do better offering this dialysis treatment inside the territory?

Hon. Mr. Graham: As I said in my initial answer, that is why we are producing key indicator reports. We will be producing the first of these reports in the fall and that will give us more precise information upon which to base our decisions.

Mr. Silver: I appreciate the minister's answers. The Health minister and I have already spoken about the need for dialysis within the Yukon. The Auditor General warned that, "Unless the department knows how many people have diabetes and how many are susceptible to it, it cannot determine if it is delivering the right programs and services to treat those with diabetes and those with a higher risk of getting the disease."

Without proper analysis, the minister makes decisions to not offer dialysis services in the Yukon. Has he made a decision to investigate improvements to the ways we collect diabetes information, or is the department still directed to make decisions based upon other poor information?

Hon. Mr. Graham: I think I've already answered it — a couple of times. The department was criticized, as the member opposite said, in the Auditor General's report. As a result of that criticism the department is producing better statistical reports, the first of which will become available in the fall of 2012. Based on those good statistical reports, we'll be in a better position to make a firm decision.

Question re: F.H. Collins Secondary School reconstruction

Ms. Stick: Yesterday, the Minister of Highways and Public Works said in the House that the department is reviewing the design for the new F.H. Collins Secondary School and hopefully tendering documents in the fall.

The website for the Department of Education shows that F.H. Collins Secondary School has a building advisory committee. The F.H. Collins Building Advisory Committee has representation from school council, First Nations, students and staff, to name a few. It has not met in nearly a year.

Can the Minister of Highways and Public Works tell us what input the F.H. Collins Building Advisory Committee has had in the design of the new building?

Hon. Mr. Kent: As I mentioned before Christmas, at the first sitting of this current Legislative Assembly, the Yukon government is, of course, firmly committed to building the F.H. Collins Secondary replacement school. Prior to making the announcement about the revised construction schedule, I did, in fact, meet with the building advisory committee. I wanted to make sure that they found out about the new schedule prior to any public announcement regarding that schedule.

So, indeed, there has been a meeting within the last number of months that I organized to inform the building advisory committee of the new construction schedule. Of course, they had input all along in the design. The Minister of Highways and Public Works and I have our department officials working on the detailed design work right now, so that we can tender that project this fall and have students in the new F.H. Collins by the fall of 2015.

Ms. Stick: Yesterday, the Minister of Highways and Public Works also said that the building advisory committee “was what was needed during the concept of it.” He further implied that the building advisory committee is not involved now, because “the stuff that we’re looking at is mainly technical stuff”. Will the minister clarify if the building advisory committee is involved at this point in the design of F.H. Collins?

Hon. Mr. Kent: With respect to comments and debate yesterday during the budget with the Department of Highways and Public Works and in regard to this project, of course, the building advisory committee did an awful lot of work on the front end, coming up with the concepts and what the physical structure would look like in order to provide the programming that’s envisioned, not only for the students who will graduate in 2016 from the new F.H. Collins, but the students who will graduate in 2066 from F.H. Collins.

So we have a long-term vision for that school, and I have to pay a great deal of respect to the building advisory committee for their up-front work in that. What we’re involved in right now is the detailed design work that will accomplish the programming that was envisioned by the building advisory committee and Education officials to meet the long-term needs of students who will be attending F.H. Collins Secondary School.

Ms. Stick: The F.H. Collins website is very clear on the role of the building advisory committee and the good work they have done to this point. The website says that the commit-

tee will provide advice to the Department of Education regarding all aspects of the planning and design of the new school. The building advisory committee’s input is required for planning on a wide range of issues, from schematic design, design development, detailed design and construction phases. A representative of the building advisory committee is asked to sign off project-related documents as evidence of their approval. This is perhaps the most complex construction this department will face in some time, involving scheduling, safety issues for students, staff and the general public.

Why is the minister not involving the building advisory committee now, whose mandate it is to represent those various interests?

Hon. Mr. Kent: As I mentioned in previous answers, the building advisory committee was highly involved in the initial concept for the school, moving forward and doing the work as far as the design and what the programming will look like for that school — again, with a view in mind to not only meet the needs of the graduates of the first year, 2016 — that class — but also for the next 50 years.

There are a number of issues they have been involved in. Right now, the Department of Highways and Public Works is working on the detailed design and costing, giving us some detailed costing estimates for the school, so that we can tender that project this fall and work with the community through communications to ensure that our number one concern is met, which is the health and safety of the students and teachers and parents who are going to be using the existing school during the construction phase.

Question re: Peel watershed land use plan

Mr. Tredger: Thousands of Yukoners have spent time, thought and energy providing input into the final recommended *Peel Watershed Regional Land Use Plan*, and they are now expressing their dismay, concern and anger that their voices are being ignored. We know where the Yukon Party government stands on the recommended Peel land use plan: they have rejected it. This is, of course, in stark contrast to the position of the vast majority of Yukoners and the four affected First Nations. Rewriting the plan through the back door at the last minute undermines a process and public confidence.

Mr. Speaker, when will this government do the honourable thing and consult with the public on the final, recommended *Peel Watershed Regional Land Use Plan*?

Hon. Mr. Cathers: First of all, I would encourage the Member for Mayo-Tatchun to be a bit more factual in his statements and, in fact, he may wish to correct the record. He just stood up and told the House that the government has rejected the *Peel Watershed Regional Land Use Plan* when the member knows full well, or ought to know full well, that we have indicated we believe it should be modified. The member’s own colleague, the Member for Copperbelt South, acknowledged the fact last fall in this Assembly that government has the ability to accept the plan, reject the plan or modify the plan.

We have indicated that we believe it should be modified. We have given an indication of the basis upon which we believe modification should be made, and there will be further

information and further options for consideration by the public in remaining stages of consultation.

Again, as I informed the member before, I'd encourage him to go back to the last time I answered his question. Once we meet with the senior liaison committee and establish the timelines for consultations, which we are required to do, then I will be in a position to announce the timelines for that consultation.

Mr. Tredger: The minister's reply brings to mind George Orwell's concept of "doublespeak". To alter the original plan and process to the extent that he is recommending —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Minister of Energy, Mines and Resources, on a point of order.

Hon. Mr. Cathers: I believe the use of terms like "doublespeak" has been ruled out of order in the past as being contrary to Standing Order 19(h), charging the member with uttering a falsehood.

Speaker: Member for Mayo-Tatchun, on the point of order.

Mr. Tredger: On the point of order, the term "doublespeak" is a literary reference.

Speaker's ruling

Speaker: There is a point of order. The intent was to, in my opinion, insinuate a falsehood by the minister. I ask the minister to rephrase it, please, and apologize.

Mr. Tredger: The minister's reply to alter the original plan to the extent that is being proposed — and processed to the extent that he is recommending — is indeed to reject it.

Let's call it what it is: a rejection of the process and the plan. Mr. Speaker, we have heard the Yukon Party government is devising a number of optional scenarios for the development of the Peel to take out for public consultation. Will the Premier confirm that the recommended Peel land use plan, as written, will be included in the scenarios used for public consultation?

Speaker: Your apology?

Withdrawal of remark

Mr. Tredger: I withdraw my remark about "doublespeak." Thank you, Mr. Speaker.

Speaker: Thank you.

Hon. Mr. Cathers: Again, what I would point out is the member ought to know full well that the characterization that the government has rejected the Peel watershed plan is not an accurate statement. The member's own colleague acknowledged last fall that the process allows the government to modify the plan at this stage. Under chapter 11 of the *Umbrella Final Agreement*, government has the ability at this stage to make modifications to the plan. We've indicated that we believe modifications should be made. We made that indication as well during the election campaign. We've given an indica-

tion of some of the basis on which we believe modifications occur.

One point I would make is, in fact, we've talked about the suggestion of modifying the proposed plan to make it more like Yukon's only existing land use plan, which is the *North Yukon Regional Land Use Plan*. That plan protects the environment by providing special protection of key areas and managing intensity of use on the rest of the region. That plan was jointly approved by the Vuntut Gwitchin First Nation and the Yukon government in 2009, and that plan manages the environmental footprint from all users in a fair, equitable and evidence-based manner. That's one of the suggestions we will be presenting to the public during the remaining stages of consultation.

Mr. Tredger: The Yukon Party government has spent over \$1.5 million and seven years of public effort to develop a land use plan for the Peel watershed.

As a plan — I would like to note — the plan has over 80-percent public support, including the four affected First Nations. The public has spoken loudly and clearly and continues to speak. The Yukon government is not listening. Is this government afraid of what Yukoners will choose if the government puts forward the recommended *Peel Watershed Regional Land Use Plan* as an option?

Hon. Mr. Cathers: What I should note is that the member is referring to DataPath poll results, and I would point out that that poll used terminology which the Peel Watershed Planning Commission itself, in its report, acknowledged was ambiguous, such as "industrial use". The Peel Watershed Planning Commission spent a good deal of print explaining what they meant by it. That term is ambiguous and is emotionally charged. That is what the member appears to be referring to and is not an accurate basis for a polling question.

What I would note is we have and will continue to follow the process outlined in the First Nation final agreements and continue to meet our obligations. One of the suggestions we have made is the suggestion of modifying the proposed plan to make it more like the Yukon's only existing regional land use plan, the *North Yukon Regional Land Use Plan*. That plan protects the environment by providing special protection in key areas and managing intensive use in the rest of the region.

That plan was jointly approved by the Vuntut Gwitchin First Nation government and the Yukon government in 2009 and the north Yukon plan manages the environmental footprint from all users in a fair, equitable, evidence-based manner while providing protection for significant areas for development of any type.

Question re: Volunteer fire departments

Mr. Barr: Throughout the Yukon, volunteer fire departments perform an essential service in responding to threats to life and property. They are our friends, family members and neighbours who respond to house fires, wildland fires, floods, motor vehicle accidents and other emergencies.

In many Yukon communities, there is a real struggle to recruit, train and retain volunteers. I have heard of these kinds of problems in Burwash Landing, Destruction Bay, Old Crow and, recently last night, in Carcross. I don't want to place the blame solely at the feet of the government. It is a shared re-

sponsibility and a partnership between communities and governments to ensure we have adequate fire services. What is this government doing to assist volunteer fire departments struggling to recruit and retain members?

Hon. Ms. Taylor: I would like to thank the member opposite for raising this very important matter. Of course, when it comes to volunteer services, Yukon government takes its obligations very seriously and works hard to ensure that firefighters not only receive the proper equipment, but that they also receive the training required to use their respective equipment safely. Again, the Yukon government remains committed to ensuring that our front-line agencies, whether it be fire or whether it be emergency services in every single community, that we continue to work respectfully with each and every community throughout the territory to ensure that fire-prevention services are continuing to be delivered.

Mr. Barr: It is a serious matter when volunteer fire departments are either inactive or do not have the numbers to adequately and safely respond to an emergency. There are implications to the health and safety of responders if they are short staffed and go above and beyond their training. There are implications for the community, of course, in that they may not be able to expect a proper response. There may also be implications in terms of homeowners accessing fire insurance.

I would like to know the specific measures this government plans to introduce to ensure volunteer fire departments are active and properly staffed and resourced.

Hon. Ms. Taylor: One only has to take a look at this year's operations, maintenance and capital budget which is comprised of a number of initiatives in support of volunteer fire departments throughout the territory. The Fire Marshal's Office is responsible for the operation, training, and maintenance of all of our Yukon fire departments. However, we also rely, as the member opposite has just referred to, on the communities' responsibility to encourage and recruit volunteer members as well. So, we continue to work with every community throughout the territory to ensure that we have the equipment, that we have training available and that we're able to work with communities to ensure that maintenance of our fire departments continues.

Mr. Barr: Throughout rural Canada, volunteer fire departments are time-honoured community institutions. These organizations of mutual assistance have been, and continue to be, the lifeblood of many communities.

The services provided by volunteers are inexpensive compared to the cost if they didn't exist and governments had to either hire professionals or declare certain areas "proceed at your own risk zones" in terms of emergency response.

The hard-working volunteers within volunteer fire departments best know about the issues of recruitment and retention and they have many ideas for improvements.

I know one suggestion was to have a regional fire position for the Southern Lakes to assist with training and paperwork. Will the government consult with all volunteer fire department chiefs and members and come up with solutions so that these important community organizations are sustainable?

Hon. Ms. Taylor: As I just pointed out, the Fire Marshal's Office, as contained within the Department of Community Services, supports some 17 volunteer fire departments throughout the territory. We do this with infrastructure, equipment and training, and we provide initiatives such as fire and life safety inspections.

Again, when one looks at this year's budget that we are currently debating on the floor of the Legislature, there is almost \$2 million allocated in support of the Fire Marshal's Office, which includes the development, planning, and pre-construction planning of a new fire hall in the community of Beaver Creek, for example. It also includes dollars for a new tanker truck purchase as well. So, Mr. Speaker, rest assured the Government of Yukon takes its obligations very seriously to protect its volunteers and to ensure that fire fighters not only have the equipment but the training to support that very equipment as well.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 102: *Act to Amend the Ombudsman Act* — Second Reading

Clerk: Second reading, Bill No. 102, standing in the name of Ms. Stick.

Ms. Stick: I move that Bill No. 102, entitled *Act to Amend the Ombudsman Act*, be now read a second time.

Speaker: It has been moved by the Member for Riverdale South that Bill No. 102, entitled *Act to Amend the Ombudsman Act*, be now read a second time.

Ms. Stick: This is a pretty straightforward bill. It would remove section 35, the so-called "sunset clause". Why do we think this clause should be removed? The Ombudsman provides a valuable public service at a reasonable cost. The Ombudsman and its office help a lot of people who feel that they have been unfairly treated by government. The office is a free, accessible recourse for people who can't afford a lawyer or who don't want to be confrontational. As such, it is a key service to people who feel they have not been heard or treated fairly.

In the Yukon, as in other jurisdictions in Canada, we are at a point of 16 years after the act has come into force — July 1, 1996, actually. Do we still need to have the discussion every five years as to whether the Office of the Ombudsman and its position is needed? I think not and the answer from the Official Opposition is no. This discussion does not need to be repeated over and over. The Ombudsman plays an important role in our democratic government. It is a position we need to enshrine permanently, with the proviso that there is no such thing as permanence in law. A majority government could repeal the act.

The current Ombudsman has recommended section 35 be removed also. In the Ombudsman's submissions and recommendations to amend the act, dated September 24, 2010, she wrote about section 35, the so-called "sunset clause" and recommended it be removed from the act. I just want to read some of the excerpts from the Ombudsman's rationale to repeal section 35: "Section 35 is the 'sunset clause' of the act, limiting its existence to five years, unless the Legislative Assembly determines it should continue for a further period, not exceeding five years from the time at which it would otherwise expire. This section should be removed from the act as over the past 15 years, the Office of the Ombudsman has established its value in improving the administration of government in the Yukon."

There's point 1: Do we need to go through the exercise of determining whether the Ombudsman should continue to exist when it's establishing value for money? Its current annual budget in the main estimates 2012-13 is \$672,000. It's a rather small budget that does a great deal of good for the public and for government by clarifying services and providing for its citizens. Back to the Ombudsman submission: "The time has come to remove the 'sunset clause' from the legislation. The Office of Ombudsman has become a standard and valued component of the administrative state in Canada since its introduction in the late 1960s. All of the provinces, except for Prince Edward Island and the two territories Nunavut and Northwest Territories have established an Office of the Ombudsman. After more than forty years of experience only once, in Newfoundland and Labrador, has a provincial government abolished an ombudsman system and even there it has since been restored."

Point 2 is that it is a widely-established practice in existence across the country.

Back to the submission: "As stated earlier, independence of the office is critical if individuals are to have any confidence in the work of the Ombudsman. In ensuring independence, continuity plays a key role. Once the institution has been well-established, guarantees must be given that it cannot be easily abolished. A government should not be able to rid itself of its critics. Moreover, the establishment of an Ombudsman generates expectations among the public for whom it is intended. When the Yukon government established the office it was considered a desirable part of the machinery of democratic government. Removing section 35 would demonstrate the continuing commitment of the Legislative Assembly to the principles of the act."

The third point is that bringing in the Ombudsman *Act* was to strengthen our democracy by allowing the means for citizens to be heard by an independent body and seek redress. By repealing section 35, we would be enshrining the independence of this body so it can carry on its independent but important role within our democratic government.

The last point: "In fact the 'sunset clause' is unnecessary as the Legislative Assembly can repeal the act at any time, should it determine that the act ought not continue in force and effect."

To that point, if at some point down the road — though it's hard to see from my perspective — a government believed that the Office of the Ombudsman isn't desired or necessary, it has

all the tools it needs, should it have the majority, and they can repeal the act.

The sunset clause is an inappropriate tool for legislative review. We thought about crafting a clause mandating a review, say, every five years, but we wanted to keep the bill strictly to section 35. If the government wants to bring about an amendment to mandate a legislative review, we would be in support. But I believe that the Ombudsman has made the case for the removal of the sunset clause. We have heard this and it has led us to Bill No. 102.

In our office, we encounter many Yukoners who are distraught and looking for help and support. We know first-hand the essential role the Ombudsman's office plays in helping people receive fair treatment.

I encourage all members of the House to support this bill and help it move ahead so that it becomes a law this sitting. Thank you, Mr. Speaker.

Hon. Mr. Pasloski: I think before I get started I would just like to make a comment in reference to the deteriorating ambience that is occurring in this House right now with the members opposite. Certainly, in their mannerisms and in terms of their negativity, I, again, go back to what the Leader of the Official Opposition said in response to the throne speech.

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Mayo-Tatchun, on a point of order.

Mr. Tredger: Has this anything to do with the debate in question?

Speaker: Minister of Energy, Mines and Resources, on the point of order.

Hon. Mr. Cathers: The Premier is making remarks related to the bill and matters pertaining to it, making general remarks. Members who debate on legislation are typically given a fair bit of discretion to make comments that they believe are relevant to the subject matter. The Premier had just begun his remarks and I am sure that his remarks are related to the bill at hand.

Speaker's ruling

Speaker: There is no point of order. Hon. Premier, carry on with your statement.

Hon. Mr. Pasloski: I began by talking about the decorum and where it is and going back to the Leader of the Official Opposition's comments when responding to the throne speech saying that the NDP are going to be a positive voice in this Assembly.

She said that the government would be wise to listen to the opposition and that the Official Opposition is offering the government suggestions and proposals. So far, what we have heard and continue to hear is negativity and criticism, certainly, and inaccuracies, and again, the NDP position of painting a picture with only half or not even half of the story — for example, with regard to this bill, putting forward a bill to this Legislative As-

sembly not in both official languages and then appearing to blame the government for that as well.

I rise on behalf of the government to say that we do support this bill and that we will, in fact, provide the translation to French through the Department of Justice and we will have that ready for the third reading. This is another example of this government's willingness to cooperate. It certainly is something that we spoke about, in fact, in our platform where we said we would promote consensus building and compromise, rather than confrontation in government, and work to improve the conduct and decorum of members in the Yukon Legislative Assembly.

This is certainly where we're coming from. We've said that we don't have a monopoly on all the good ideas and we certainly will consider ideas from wherever they come from on either side of this House. This is evidenced by the fact that so far in the 33rd Legislative Assembly, in fact, we have had four government motions passed unanimously by this House. In fact, two motions put forward by the Third Party have also passed unanimously. These are examples of our willingness to work together in spite of the repeated interruptions that we hear from the other side that are directed across the floor.

With that, I rise to say that we will support moving forward with this amendment to the bill.

Ms. Hanson: I just wanted to make a few brief comments with respect to this proposed amendment and why I think it's important. It's unfortunate that the Premier chose to start with a volley of negativity when in fact we had actually tried to follow the due process that had been directed in this Legislative Assembly in terms of the House Leaders sorting out the issues of the procedural approach to dealing with the translation. As members of the Official Opposition or indeed the Third Party, we have no access to official translation services.

That is one of the issues that we tried to raise through the means of a motion to talk about how we could facilitate that. That is the purview of government through its legislative drafting through the Department of Justice. Our intent from the very beginning of this would be to work with the government members. We were putting forward the idea with respect to amending this legislation to remove the sunset clause to get the agreement of parties because we think it makes sense at this stage of the game. You know, in preparing for this discussion this afternoon, I actually went back and checked to see the record and I will give credit where credit is due — the Premier perhaps won't — but in fact it was a Yukon Party that brought in the ombudsman legislation, in compliance with a commitment they made in a platform. I can tell you when I read *Hansard* from back then, there was a lot of scepticism on all sides of the House. I have to say it was, to a large credit, an independent member — I think she was a member for Riverdale, Bea Firth — who brought commonsense to that discussion and reminded the members of this party and of the Official Opposition at the time that the Ombudsman is an important position because they are officers of this Assembly. The importance of the Ombudsman is that they are independent of government. They are independent of political parties. They make annual

reports that go to this Legislative Assembly; they don't go to a minister who can control it, or manipulate it, or do whatever. They go to the Legislative Assembly — through you, Mr. Speaker.

The Ombudsman doesn't take instructions from any government or organization. They are truly independent. The word "ombudsman" is Swedish. It is a "protector of the people". The mission is to provide an independent means, by which the public complaints concerning the Yukon government can be heard and investigated. The job of the Ombudsman is to promote fairness and to improve government services.

After 16 years, I think the scepticism that may have been there within the ranks of the Yukon Party and within the ranks of some of the Official Opposition at the time can be quelled. We know by the demonstrated fact of the performance of the Ombudsman over the course of the past 16 years that this is an office that serves Yukoners well. It acts on behalf of the people of Yukon, as it was intended to do.

I am pleased to hear that the Premier and Yukon Party supports the amendment proposed by the Member for Riverdale South to repeal the sunset clause, and we look forward to working with them constructively to seeing this implemented.

Hon. Mr. Cathers: I will just rise very briefly in supporting this bill. I do also have to make the point that, in contrast to some of the characterizations we hear from the NDP, in particular, of the government and the fairly pointed and inaccurate characterizations made earlier today in the House directed toward the government, if one looks to legislative assemblies around the country and to the Parliament of Canada, it is rare for motions brought forward by opposition members to be passed in most assemblies.

That is not the case in the Yukon Legislative Assembly during the time that the Yukon Party has been in government. We have made it a practice, and will continue to do so, to try and take opposition motions where we can support them as they're presented and support them. Where we believe there can be amendments made, we try to make amendments that we think that the presenter and other members of the Assembly will hopefully find acceptable, when we're able to do so. There are times when we disagree with the motion presented with the subject matter and do need to make an amendment that doesn't get that unanimous support, but if one looks to the number of times there have been unanimous motions passed — each of the previous terms that the Yukon Party was in government, we had more unanimous motions passed by this Assembly than by all other legislative assemblies prior to 2002 combined.

So again, Mr. Speaker, that is one example of cooperation. Another example is the fact that we have here a private member's bill that the government will be supporting. We will be providing French translation services, again, within the Parliament of Canada, and within most legislative assemblies in Canada. For a private member's bill, presented by a member of an opposition party, to be accepted by the House is extremely rare. This is something we have also done in the past with the anti-smoking legislation that was brought forward by the former Member for Whitehorse Centre, Todd Hardy. In dealing with

that legislation, we set up the first select committee that the Legislative Assembly had set up in quite some time to involve members of all political parties; to engage the Yukon public in meetings and hearings aimed at having a multi-partisan approach to talking to people; to involving representatives of all caucuses in the Assembly in trying to reach solutions that everyone could agree to, rather than having the government simply deciding how to handle the matter, as was the practice in the past and has been the practice in most legislative assemblies and most governments across the country.

The fact that we've done with a number of select committees — anti-smoking, human rights committee, the *Landlord and Tenant Act*, the off-road vehicle committee — to name a few. The whistle-blower committee, as we've discussed before and may again later today, has been one that is the only one of those committees that didn't reach a final report that has been accepted by the Legislative Assembly. So we have taken a number of steps.

Today we will again demonstrate the fact — as the Premier noted — that we are willing to accept good ideas wherever they come from. We agree with the Member for Riverdale South, in her presentation of the fact that although the sunset clause in the *Ombudsman Act* may have been seen as necessary at the time, the act has widespread acceptance within the Yukon public and within government. Though it can be extended every five years, there is really no need to continue to have a sunset clause in that piece of legislation, so it is something that does really clean up the legislation and removes that need to renew that act every five years.

I hope this matter will proceed through second reading and be supported through Committee of the Whole.

As the Premier alluded to, the Department of Justice does need a bit of time to do the French translation of this bill, so it would not be possible as the NDP House leader had suggested earlier on that perhaps we could do third reading today. The government does have a legal obligation to be sure that the French translation is legal and equally authoritative, and properly drafted before the Assembly passes it. That is something that the Department of Justice will be doing — that translation. We have asked them to do it expeditiously, but it won't be possible to do the French translation by this afternoon since it was relatively recently that this bill was presented before the Assembly and notice of course to call it was given yesterday by the NDP. Again, we do hope that it will pass second reading in Committee of the Whole today, and we would hope and assume that the Official Opposition would bring back Bill No. 102 at the next Official Opposition private members' day for third reading, hopefully to be passed by the Assembly at that point. With that, Mr. Speaker, I would conclude my remarks and commend the legislation to the House.

I thank the Member for Riverdale South for bringing it forward.

Mr. Elias: I would like to rise today and speak to Bill No. 102, which proposes to remove the sunset clause in the *Ombudsman Act*. Currently section 35 requires that the *Ombudsman Act* be renewed every five years. This bill as pre-

sented would repeal only section 35 and have no other effect on the *Ombudsman Act*. It is important to note, though, that if there ever was a majority Liberal government, we would have done this 10 years ago. I will offer my comments on behalf of the Liberal caucus and be the only speaker on this bill.

Before I speak to this bill, I would like to pause and thank Tracy-Anne McPhee for her recently completed term as the Yukon Ombudsman. Ms. McPhee served Yukoners in that role for five years, in applying her legal and administrative expertise to help people as they navigate government processes and services. Her work is very much appreciated. We would also like to pause and welcome Mr. Tim Koepke as he assumes this new role. We wish him the best of luck and we are confident that he will do an excellent job.

We believe the Office of the Ombudsman provides an essential service to Yukoners. While the office's expenses are paid out of the public purse, the Ombudsman is independent of government. That allows the office to be impartial in dealing with complaints about fairness and government services. The office handled hundreds of files last year and has helped resolve thousands of problems since its inception in 1996. Clearly, Yukoners value having an impartial person to bring their concerns to when they feel they have been treated unfairly by the government. The Yukon *Ombudsman Act* came into law in 1996 with a five-year sunset clause, and has been renewed periodically since then. Similarly, the Ombudsman — he or she — is hired for five-year terms, and those terms may be renewed. We believe that retaining the sunset clause creates unnecessary uncertainty for the public and for those who choose to serve the public as ombudsman. Removing the sunset clause does not limit the government's ability to make changes to the act if such changes are needed. Most legislation does not have sunset clauses and we are able to amend and update them as the public interest and changing conditions dictate. The same could be done with the *Ombudsman Act*. We support the work of the Office of the Ombudsman, as empowered by this legislation. We feel the office does good work and that Yukoners appreciate having an impartial third party that addresses instances of government unfairness; therefore, we will be lending our support today to Bill No. 102.

Mr. Barr: I rise in support of Bill No. 102, which would amend the *Ombudsman Act* to eliminate section 35, the so-called "sunset clause."

I have seen through our office and the casework we do how the Ombudsman's office helps real people with real problems — problems with government that are not being addressed until the Ombudsman gets involved. I understand the current ombudsman has stated that the office saves government money every day; I would concur.

The annual budget of the Ombudsman, including the work of the Information and Privacy Commissioner, is \$672,000. In over 15 years of operation, the office has helped solve thousands of problems and improved government practices and decisions.

We are here to discuss whether the sunset clause, section 35, should be repealed or remain. The clause says the act will

expire in five years unless it is extended by the Legislative Assembly.

I agree with the mover of the bill. The clause should be removed to recognize the essential and beneficial role of the Ombudsman for both government and the public.

I was thinking back to when I was young, a young teenager, and even hearing the word “Ombudsman” and not knowing what it was, but then listening and realizing that it’s hope for people — people who aren’t listened to; people who don’t feel that anybody is listening; and that there is some resolve. I just believe that this office is of highest integrity, honesty and hope for those people.

Speaker: Before the member speaks, are there any other members who wish to speak?

Ms. Stick: We have brought this forward because it’s the right thing to do. I thank the other members in the House for their support of this amendment to the Ombudsman Act. This sunset clause has outlived its usefulness. It had its place when this act was first introduced, when many were unsure, but the good works and results done by the past and present Ombudsman and the staff should be proof enough of the need and the purpose of this office. It is an important role within our democratic government and it is an important service to the public, and we can all benefit from it.

I would ask that the House now resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 102.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pasloski: Agree.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: D’accord.

Mr. Tredger: Agree.

Ms. Moorcroft: Agree.

Ms. White: Agree.

Ms. Stick: Agree.

Mr. Barr: Agree.

Mr. Elias: Agree.

Mr. Silver: Agree.

Clerk: Mr. Speaker, the results are 18 yea, nil nay.

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

Motion for second reading of Bill No. 102 agreed to

Speaker: Bill No. 102, entitled *Act to Amend the Ombudsman Act*, has now received second reading and, pursuant to Standing Order 57(4), stands ordered for consideration by Committee of the Whole. Pursuant to Standing Order 14.2(2), the Official Opposition designated Bill No. 102 as an item of business today. The Member for Riverdale South is therefore entitled to decide whether the House should resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 102. I would ask the Member for Riverdale South to indicate whether she wishes the House to resolve into Committee of the Whole.

Ms. Stick: I would ask that the House now resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 102.

Speaker: Pursuant to the request of the Member for Riverdale South, I shall leave the Chair and the House shall resolve into Committee of the Whole.

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. McLeod): Committee of the Whole will now come to order. The matter before the Committee is Bill No. 102, *Act to Amend the Ombudsman Act*. Do members wish to take 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.

Bill No. 102: Act to Amend the Ombudsman Act

Chair: The matter before the Committee is Bill No. 102, *Act to Amend the Ombudsman Act*. We will proceed with clause-by-clause approval.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Title

Title agreed to

Ms. Stick: I move that Bill No. 102, entitled *Act to Amend the Ombudsman Act*, be reported without amendment.

Chair: It has been moved by Ms. Stick that Bill No. 102, entitled *Act to Amend the Ombudsman Act*, be reported without amendment.

Motion agreed to

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

Chair: It has been moved by Ms. Moorcroft 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

Ms. McLeod: Mr. Speaker, Committee of the Whole has considered Bill No. 102, entitled *Act to Amend the Ombudsman Act*, and directed me to report the bill without amendment.

Speaker: You have heard the report from the Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 45

Clerk: Motion No. 45, standing in the name of Mr. Silver.

Speaker: It is moved by the Member for Klondike

THAT this House urges the Government of Yukon to proceed, based on recommendations contained in the *Minority Report on Whistle-blower Protection*, with drafting whistle-blower protection legislation.

Mr. Silver: Mr. Speaker, we trust in our government employees to work in the public interest and to fully apply their skills, expertise, and good judgement whenever doing so. It may happen in the course of their professional duties that they are made aware of gross government mismanagement. In using the usual channels to bring forward their concerns, if going to their superiors does not resolve the problem, then they must have another way of advocating Yukoners' public interests. This is their professional duty. Whistle-blower protection enshrined in law allows government workers to disclose when public safety is in imminent danger or when public funds and public programs are being abused.

It means they can speak without fear of being fired or suffering other reprisals at work. Without whistle-blower protection, people who witness government wrongdoing may have to choose between doing the right thing and keeping their jobs. It is not fair to ask Yukon government employees to make that choice. For 10 years, government employees have been promised protection without getting it.

The motion we bring forward today urges the Yukon government to get on with the business of enacting whistle-blower legislation. It urges the government to use the research completed by the last Select Committee on Whistle-blower Protection and the report presented by the Liberal and NDP members of that committee to move forward. It does not advocate for forming another very similar committee with another very

similar mandate to complete the same work again. It advocates for action, for legislation and for protecting Yukon government employees as they carry out the public trust.

Ms. Hanson: I think that it goes without question that the Official Opposition made it very, very clear that we support this. As referenced by my colleague from Klondike — and my previous colleague, Mr. Cardiff, was also party to the *Minority Report on Whistle-blower Protection* — we have been very, very clear in the motion that we brought forward on this issue also. But quite frankly, although we support this in principle and we understand the frustration that is expressed in this Liberal motion, the ship has sailed and we are on that ship.

I think that what we really do need to do, and in the spirit of cooperation here, I would like to propose a couple of amendments to this motion that may help to address the concerns and the frustrations that the Member for Klondike has expressed in putting this forward. That experience or that frustration is borne by the many years of delay that we have seen, that we mentioned in debate on this very subject. This was a commitment by the Yukon Party in platforms going back as far as 2002. With that in mind, Mr. Speaker, and in the interest of really ensuring that all of the members of this Legislative Assembly demonstrate their full commitment to all public servants and indeed to all public, in terms of ensuring that whistle-blower protection and legislation to give effect to that protection is brought forward in a timely way, an expeditious way, I would suggest an amendment.

Amendment proposed

Ms. Hanson: I move

THAT Motion No. 45 be amended by deleting the phrase "this House urges the Government of Yukon to" between the words "THAT" and "proceed" and substituting for it the phrase "the Select Committee on Whistle-blower Protection";

THAT Motion No. 45 be further amended by adding the phrase "instructions for" between the words "with" and "drafting"; and

THAT Motion No. 45 be further amended by adding the phrase "as soon as practicable" after the word "legislation."

Speaker: The amendment is in order.

It has been moved by the Member for Whitehorse Centre,

THAT Motion No. 45 be amended by deleting the phrase "this House urges the Government of Yukon to" between the words "THAT" and "proceed" and substitute for it the phrase "the Select Committee on Whistle-blower Protection";

THAT Motion No. 45 be further amended by adding the phrase "instructions for" between the words "with" and "drafting"; and

THAT Motion No. 45 be further amended by adding the phrase "as soon as practicable" after the word "legislation."

Ms. Hanson: We make this proposed amendment to Motion No. 45 today because it recognizes that this Legislative Assembly has already established a select committee, so we don't need to urge the Government of Yukon to do this. It's a fait accompli — the select committee has been established and

essentially what it's recognizing as well. So urging the select committee to do what it can do, which is provide drafting instructions. A select committee doesn't draft legislation.

It would provide instructions for those people who are charged with legislative drafting. So, we thought that that made it more correct in terms of the actual process of what the work of this committee could be and how we could most meaningfully move it forward to a closure as quickly as possible. That is why we also used the language "as soon as practicable", because, Mr. Speaker, as you're aware, "as soon as practicable" has a legal meaning in this context in that we're not intending it to be delayed. I respect the fact that the members opposite for a variety of reasons, some of which I can understand, were reluctant to set a finite date. So, with the language of "soon as practicable" — the legal drafters will understand that they're under some expectation that it is the wish of this Legislative Assembly that they proceed with this with due diligence and expedience, once the work of that select committee has been completed.

We agree with the Member for Klondike that this is an important action that must be completed; that a significant amount of work has been done over the course of the many years from 2007 to 2010 — the over 13 or so public hearings that were held. So we have a significant body of work that has already been done.

I would say most of the consultation has been completed, and we believe that the proposed amendments to this motion from the Member for Klondike will both respect the decision taken by this Legislative Assembly, in terms of creating and directing the select committee, also recognizing the significant body of work that was contained in the minority report, as well as expressing the sense of urgency that I hope all members of this Legislative Assembly share — that we do and we will remain committed to seeing whistle-blower legislation brought forward as soon as practicable.

Hon. Mr. Cathers: In rising to speak to the amendment, I want to first of all note that the government agrees with the Official Opposition that the motion does need to be amended. I think that some of the intent of what they appear to be trying to get to is not really that distinctly different from where we believe that the motion should end up being. However, there are a few things in looking at it, and in looking at the amendment the members have just brought forward — we think that the motion establishing a Select Committee on Whistle-blower Protection did specifically reference and task that new committee with considering matters and provided access to the reports and records of the Select Committee on Whistle-blower Protection that was established by the last Legislative Assembly.

It does empower that committee to do it. Two things that are of concern with the amendment, as proposed by the Leader of the Official Opposition, is that it appears to bind the current committee to be proceeding on the basis of recommendations by a committee of the last Assembly. What we intended in the motion that we tabled — which was passed unanimously by this Assembly to set that committee up — was to give the

committee the ability to fully consider all matters, records and discussions dealt with by the committee of the last Assembly, but not restrict them to that, and allow them the ability, as those members see fit, to make changes and to revise that draft report and come up with a final report to present to this Legislative Assembly.

The second matter I point to with the proposed amendment is that it talks about the select committee. It proposes having the select committee proceed with instructions for drafting whistle-blower protection legislation and, really, it is our belief that the report tabled by a committee of this Assembly, if it is accepted by the Assembly and accepted by the government and includes a recommendation to develop legislation, that would naturally lead to the development of legislation pursuant to that requirement. The committee itself, obviously, is not out of order procedurally, but I think it is a somewhat inaccurate reflection of how it would occur. The committee would not really establish so much the instructions for legislative drafting as develop the information and the report that would lead to and inform the legislative drafting that would not be done by any MLA in this Assembly, but would be done by lawyers in the Department of Justice.

So, in looking at the proposed amendment, we did look to whether we could provide a subamendment that would achieve what we believe should occur, but we will not be supporting the amendment. We will, if the amendment is not passed by this Assembly, be proposing another amendment, which I know I can't propose now, but in the interest of informing members of the House, I note that what we will be proposing doing is to not specifically refer to the *Minority Report on Whistle-blower Protection* — a report, I might add, that was ruled out of order twice in this Assembly, since the committee did not have the authority to develop the minority report.

So we question validity of that terminology and, in fact, what we would propose doing is continue to urge the government to proceed with drafting whistle-blower protection legislation following receipt of the final report by the Select Committee on Whistle-blower Protection.

Again, recognizing that an amendment can't be submitted since it would not really fit as a subamendment, I wanted to provide that information to the members of the Official Opposition and to the members of the Third Party in indicating why we will not be supporting the amendment proposed by the Leader of the Official Opposition and giving them an indication of what we intend to propose, if this amendment is not passed.

Ms. Stick: In speaking to this amendment, I would support it and point out the member opposite's — what I thought was erroneous in believing that it would be restricted to the minority report, when, in fact, this motion said it was based on, not restricted to. With regard to the amendment for instruction, I believe that it's exactly as it was intended. Whether we say to present a report or instruction, it's leading toward the legislation of whistle-blower protection and I believe that instruction is fine as amended.

Mr. Elias: I'm going to get to the point here. I don't support the amendment put on the floor of the House from the Member for Whitehorse Centre. I'm going to take this opportunity to provide this House with a little bit of history and a little bit of what my constituents think about what has been happening here in the last couple of weeks. Our point in the basic motion from my colleague, the MLA for Klondike, was on the premise that the Yukon Party government has had a decade in this House with lawmaking authority since 2002. They have had a decade to develop whistle-blower legislation in this House and they failed to do so.

During my time as MLA, I have wholeheartedly travelled throughout the Yukon on several select committees, all of which have resulted or will result very soon in legislation that is going to better the day-to-day lives of our citizens. What I have witnessed over the last years of my time in this House is the reason why — on December the 7, 2011, I told Yukoners the reason why I did not want our caucus participating in what I considered a stalling tactic. There was one other issue that was brought up here today, and that was about respect and intent.

It was about not following the Standing Orders of this House. I want Yukoners to understand one thing and to ask themselves: why, at the time of the 2007 Select Committee on Whistle-blower Protection, knowingly decide to stand up and say, "This is wrong and we are going to cross the line on the Standing Orders." So they chose to put on record during their political careers, "Something is wrong in this process." They did that knowingly because they could see what I've seen since 2007. They understood that something was flawed in the consensus-based process in developing whistle-blower legislation. Now, when it's in the papers my constituents are phoning me, asking me, "What are they forcing you to do, Darius? Explain it to us," when I publicly stated several times the reasons why I consider this new select committee on developing whistle-blower legislation drastically flawed.

Yet, what did we pay tribute to today on the floor of this Assembly? Why am I wearing a pink tie today? Whistle-blower legislation enshrines, in law, protection from being fired or suffering from reprisals at work for disclosing gross government mismanagement. Twice our Liberal caucus — when we were in the Official Opposition last year about this time and when we were in the Third Party caucus — put forward for this Assembly to debate and maybe discuss the pros and cons of — like we just did today — a disclosure protection act. This is why we're here: to protect public servants.

I am really holding back from using some objections during this debate, Mr. Speaker, because I am trying to use the diplomacy in this House that Yukoners rightly expect us to display.

All MLAs in the House — and I understand many of them are new and they don't understand the history, but the Yukon Party promised to enact whistle-blower protections in 2002, 2006, and again in 2011. Whistle-blower protection exists in the federal government and in many jurisdictions around our country, and we tabled that legislation previously. In the Liberal caucus we have also promised this in our 2002, 2006 and 2011 platforms. We have tabled legislation in good faith. One

of our caucus members, the Hon. Mr. Fairclough, participated in 13 select committee meetings over the course of three and one-half years. He believed in this work and with the late member, Mr. Cardiff — they felt it necessary on behalf of our citizens in this territory to submit to this Chamber a minority report with 10 excellent recommendations that were supposed to be the core of whistle-blower legislation.

It wasn't supposed to be the be-all and end-all. It was supposed to say, "This is what we've heard from organizations and Yukoners because we care and we respect motions that are passed in this House."

We talk about respect. Months before the Yukon Party passed their new whistle-blower mandate — talking about respect — I told my constituents and I told the public and anybody who would listen: here is why I chose not to participate. My record being on select committees speaks for itself when it has integrity based on history. Yet I stand here today — and this isn't about me; this is about those public servants out there who need this type of legislation or who are asking for this type of legislation.

I have been in here for five and a half years. Dozens of pieces of legislation have crossed my desk without the need for a select committee—dozens. So I ask myself, and Yukoners should ask themselves this question too: why should a third majority Yukon Party government absolutely force and require my participation on a piece of legislation that they can draft on their own. And that is the merit of the motion on the floor today, because it is the basics. It is already there. The values are there. The wishes of Yukoners are there. The Yukon Party Government has all it needs to proceed. I also understand the cautious optimism of the Official Opposition. I understand, but I do not blame them for it. What I do take issue with is what is going on, on the other side of the House.

I'm going to be honest here. I feel backed into a political corner. I've only been there twice before and this is the second one. I don't like being backed into a corner. My constituents don't appreciate their MLA being backed into a corner, being forced to participate in something that I have justified that I should not be participating in.

Just this session — in this spring sitting alone — we've seen six pieces of legislation and without help from the Official Opposition: *Act to Amend the Land Titles Act and the Condominium Act*; *Act to Amend the Territorial Court Act*; *Business Law Amendment Act*; *Act to Amend the Financial Administration Act*; *Act to Amend the Child Care Act*; *Act to Amend the Liquor Act* and another piece of legislation today: *Act to Amend the Ombudsman Act* that we're dealing with today, which is very rare. I applaud the Member for Riverdale South for doing that. That's going to be rare if that piece of legislation passes this House.

Moral rectitude — that's what Yukoners rightly deserve. How much time do I have left?

The legislation in the *Disclosure Protection Act* — in the explanatory note that our caucus has tabled twice in this House, that debate got abruptly shut down by the Yukon Party. No one even got to speak. That's a fact. This bill protects employees by facilitating the disclosure and investigation of significant and

serious matters related to the public service that are potentially unlawful, dangerous to the public or harmful to public interest and by establishing a sound and thorough regime of protection from reprisal for employees who make disclosures. That's what we put on the floor of this House for the representatives of this territory on behalf of Yukoners to debate. It was something to start from. Over and above the recommendations in the minority report, is it good enough?

That is all we wanted to do. That debate was stopped. This piece of legislation we tabled discusses disclosures of wrongdoing; it discusses types of information that can be disclosed; it discusses investigations by the Ombudsman — I believe it is 29 pages, by the way — it discusses protection from reprisal; it discusses information about wrongdoing provided by persons outside the public service; it discusses dealing with a false or misleading statement; it discusses providing legal advice and arranging for legal advice; it discusses liability protection; it discusses the development of regulations.

But the debate on this was stopped.

This goes over and above the amendments put forward by the Official Opposition today, as I hopefully explained eloquently to the House. Now I'm put in a position, because of the motion that was passed last Monday, to make a decision on how I'm going to best represent my constituents and whether or not I have to break a serious rule in these Standing Orders. I didn't ask to be in this position. I was put in this position by a majority government. That's the situation I find myself in. So in the months to come, I'm going to have to make some serious decisions, with serious consequences.

Mr. Speaker, I would actually like to hear from the Premier on how he is going to help me fix the situation that I am in, because, like I said, I have been backed into a political corner with very, very few options. So if there has ever been an olive branch, I am extending it to the Premier right now to help me fix this — I do not know if the word "quagmire" is the proper word, but I am going to use it anyway — that I am in, and I will be listening intently to the words that are being said after I sit down. I hope that I have helped out the debate today.

Hon. Ms. Taylor: I would like to thank the members of the Assembly today for the debate thus far on this particular motion. Of course, we're speaking to an amendment that has been put forward by the Leader of the Official Opposition. We thank the Official Opposition for that constructive input. I just wanted to put a few things on the record.

I just want to speak to the very fact that there is a lot of reference to the minority report. As the Member for Lake Laberge has spoken about on a number of occasions, the minority report that was tabled, or that was attempted to be tabled, was ruled out of order. In fact, it contravenes the Standing Orders, so to speak, simply for the matter that it was incomplete.

I think it's very important to note that. As the Member for Vuntut Gwitchin has also made reference to, a lot of great work has been done by this Assembly and by previous assemblies, to be sure. I think that as a member of the Assembly for the last nine years, I appreciate that we all come to this Assembly — we are elected on mandates. We are also elected to put our best

foot forward and to work together to the extent possible on issues that matter the most. Certainly, whistle-blower protection is but one of those issues. There has been a great amount of work that has been conducted by previous assemblies on a number of occasions. Of course, much of that work is still in the works. The minority report that I referenced and have spoken to on a number of occasions in the Assembly was in fact incomplete. It did not receive the sign-off by the Yukon Party caucus members, even though it may have received the support of the New Democratic caucus as well as the Liberal caucus. I think it is very important to note that when we go forward with recommendations by a select committee that we are all in agreement, that these are the recommendations that are to be put forward on behalf of the Assembly.

The bill that the member opposite has just spoken to — and in fact, I'm very pleased that the member opposite spoke to both bills because I think it was back in February or perhaps it was January in 2011, or maybe it was even earlier, there was Bill No. 112 that was tabled by I believe it was the previous Member for Porter Creek South. That was entitled the *Disclosure Protection Act*. At that time, that bill did come forward for a discussion on a Wednesday such as this, as a private member's bill. At that time, there was some debate. The previous Member for Klondike spoke to the motion. I just want to reference that the bill effectively referenced many of those, if not all those, provisions that were housed within that minority report that the member opposite makes reference to.

Without getting into the specific detail of that bill — the member opposite has already spoken eloquently to that bill and subsequent bill, Bill No. 101, which was tabled back in December 8, 2011, also called *Disclosure Protection Act*, which was pretty much identical to the previous bill tabled. Without getting into the specifics of the bill — because that's not what we're here debating currently; we're speaking to an amendment on the floor — I do want to make reference that it has to be stated that at that particular time, there were some comments that were made by the previous mover of the bill, the Member for Porter Creek South. Even at that time, even after having tabled the bill, that member also recognized that the select committee needed to get back to the job that they had in front of them, that the work was incomplete, in essence. The member also went on to say that it's very imperative that the committee get on with finishing up delivering the report and recommendations thus far.

I recall there was a debate between the member, again, the mover of the bill, and the previous Minister of Justice, in which the mover was urging the Minister of Justice to bring that proposed bill forward for the Department of Justice, for the officials to take a look at it, so they could actually see if the government thought that the proposed bill by the previous Liberal member, was in fact actually worth doing something with. Those are not my words. Those are the words of the previous member.

So, quite clearly, the previous member for the Liberal caucus felt that there was more work to be done and that in fact the bill that was brought forward — even that member, the mover of the bill, was not entirely certain as to whether or not it was

worth doing something with. The member also, at that time, recognized that Yukoners wanted to see what is in the legislation before they actually accept it, that, before we go and proceed with drafting legislation, the bill needed to have some consultation among Yukoners, some dialogue so that Yukoners were comfortable with what was being proposed.

The bill that the previous Member for Porter Creek South tabled on behalf of the Liberal caucus did not actually see any consultation. There was no dialogue with the Village of Mayo. There was no dialogue with the Liard First Nation. There was no consultation with other members at that time. So that was also duly noted. In fact, there was some discussion that perhaps the Department of Justice could take up that bill and present it before the public for discussion.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Leader of the Official Opposition, on a point of order.

Ms. Hanson: I thought we were speaking to the amendment. I don't hear the subject matter of the amendment being spoken to at all.

Some Hon. Member: (Inaudible)

Speaker: On the point of order.

Hon. Mr. Cathers: I believe the Minister of Community Services in speaking to the amendment is noting her reasons for disagreeing with leaving in the reference in the motion to the Select Committee on Whistle-blower Protection — or sorry, to the previous committee's work — the minority report. The member is providing some historical context for the reason why she and the government disagree with continuing to leave that in the motion.

Speaker's ruling

Speaker: The member did start with saying she was speaking to the amendment and I'll let her proceed — at the beginning of her statement.

Hon. Ms. Taylor: Thank you, Mr. Speaker.

I just want to go back, because when we talk about Bill No. 112, we are effectively talking about the bill that the member opposite was just referencing and would like to debate today. I just want to say one last statement here — it said, again from the previous Liberal caucus, that this bill was just a starting point for the next stage in development of whistle-blower protection. Quite clearly the work is very much incomplete when it comes to developing effective and timely whistle-blower legislation. I just want to make that quite clear.

When we talk about the amendment, it speaks to making reference to the minority report and, quite clearly, while we recognize the work that was done by the previous select committee on this very matter, at the end of the day that committee — the work that was provided that actually did come to fruition was effectively incomplete.

What we are now discussing and what we discussed not long ago in the Assembly during this sitting was the development of the select committee comprised of members of the current Legislative Assembly. We look forward to getting on to

that work and we certainly look forward to getting back to the debate of the original motion before us.

I also just want to go back to a couple of other things. The member opposite also made reference to when in fact the select committee was being debated on the floor of the Legislature only days ago, I might add, and that in fact somehow the Assembly had forced the member opposite to participate on the committee. Again, I will just draw the member's reference to the actual day that that motion was brought forward for consideration and actually received full debate among members. Actually, that also resulted in a unanimous consent of all Members of the Legislative Assembly. The members opposite had full opportunity, full and ample opportunity, to bring forward an amendment to remove the name of the member opposite, or to add or delete or change up; however, there were no amendments brought forward, so there was an opportunity at that time.

I just want to put that on the public record, because no one is forcing anyone to do anything when it comes to the select committee.

We certainly hope, however, and we have stated on a number of occasions and we still remain hopeful that the members opposite — all members from the Assembly representing all their political parties — will participate in the debate on whistle-blower protection. So I also just wanted to make reference to that as well.

I wanted to make reference to the fact that when it comes to protection of public servants and the good work they do on behalf of Yukon citizens, there are provisions in place today as we speak. I've spoken to some of the legislation that we currently have — public sector legislation — and some of the policies, some of the dispute resolution mechanisms that we have available to employees as represented through, as I mentioned, legislation policies even through the respective collective agreements. Again, I just wanted to make reference to what is available to employees for the purpose of challenging actions taken by their employer.

I do not want to veer off too much from the amendment, but perhaps that will provide a bit more context as to some of the reasons that were brought forward by the Member for Lake Laberge in our caucus' opposition to the proposed amendment as put forward by the Leader of the Official Opposition.

Amendment to Motion No. 45 negatived

Speaker: Does any member wish to speak to the main motion?

Hon. Mr. Cathers: As I noted earlier in speaking to the amendment presented, we concur with the Official Opposition that there is a need to make an adjustment to the motion as presented. As I laid out earlier in my remarks, we think that it is appropriate to recognize that it will actually be the Department of Justice, Government of Yukon, that would do the drafting of whistle-blower legislation following the conclusion of a report by the Select Committee on Whistle-blower Protection.

With that in mind, as I noted earlier, my colleague, the Member for Whitehorse West and the Minister of Community

Services, also referenced the reasoning behind why we can't agree to the reference to the *Minority Report on Whistle-blower Protection*, since in fact, it was twice ruled by the Speaker of this Assembly that tabling a minority report that had not been authorized by a committee was contrary to the Standing Orders of the Assembly.

In bringing forward the motion to establish this committee, we included specific reference to the ability of the committee to have access to all the previous records and work done by the Select Committee on Whistle-blower Protection established by the last Legislative Assembly — the 32nd Legislative Assembly, that is. In fact, the reference in the motion to that was something that we incorporated in that motion at the suggestion of the Official Opposition and we agreed with that suggestion and that motion.

As my colleague, the Member for Whitehorse West noted, when that motion was brought forward before this Assembly there was the opportunity for any member of this Assembly to stand up and propose an amendment to that motion. As I indicated in bringing forward that motion, we felt that in establishing an all-party committee, it was appropriate to provide the opportunity for all caucuses to be represented at that table. Whether those members chose to participate and how they chose to participate was up to members' discretion, but we believe that the all-party committees that have been established in the past have been a positive improvement to engaging members from all caucuses in developing policy decisions and ultimately developing legislation in a number of those cases.

I would point out, as I have previously, the fact that prior to the initiative that we commenced with in establishing the Select Committee on Anti-smoking Legislation, followed by a number of other ones — the Select Committee on Human Rights, the Select Committee on the *Landlord and Tenant Act*, the Select Committee on the Safe Operation and Use of Off-road of Vehicles, and of course the Select Committee on Whistle-blower Protection.

Prior to that time, there had been in Yukon history only one select committee established that was empowered and tasked to go out and consult with Yukoners on an issue of importance. This is really very much a new initiative that the Yukon Party came forward with that we thought would make an improvement to the way some of the business is done, recognizing that there is further work that can be done by all in this Assembly to work together on improving decorum, working together on how we can work together constructively. But we believe that it has been a positive enhancement; we believe it has been an improvement. With that introduction, I would then move the following amendment.

Amendment proposed

Hon. Mr. Cathers: I move

THAT Motion No. 45 be amended by deleting the phrase "based on recommendations contained in the *Minority Report on Whistle-blower Protection*", and by adding the following phrase after the word "legislation": "following receipt of the final report by the Select Committee on Whistle-blower Protection".

Speaker: The amendment is in order. It has been moved by the Government House Leader

THAT Motion No. 45 be amended by deleting the phrase "based on recommendations contained in the *Minority Report on Whistle-blower Protection*" and by adding the phrase after the word "legislation": "following receipt of the final report by the Select Committee on Whistle-blower Protection".

Hon. Mr. Cathers: I will be brief in speaking to the amendment. Again, what I would emphasize, as I did in my remarks on the main motion and before making the amendment, is the fact that all of the select committees that have been established in recent years — the sole exception being the whistle-blower committee — did reach a final report. In acknowledging points that have been made by members of the Official Opposition and the Third Party in reflecting on work of that previous committee of a previous Legislative Assembly, one point that I do think important to point out is that, in fact, none of the members of this current Legislative Assembly were on that committee.

I do not believe that the Member for Vuntut Gwitchin was, and I know that none of the members of the NDP were. Of the Yukon Party caucus, there are 11 members. Nine members were elected on October 11, 2011, either for the first time or after having been absent from the Chamber for a number of years. So, again, of the two members of the government caucus who were part of that last Legislative Assembly, of the four members, I believe it is, of the 19-member Legislative Assembly, not a single one of us was part of that committee.

The dynamics of that committee, the debate that occurred in that committee, and any records of that have been by the motion passed by this Assembly previously to establish the committee. The new committee has been given access to any records, any transcripts, anything that they dealt with there. But for members to debate and reflect on the dynamics of a select committee of a previous Legislative Assembly — when not a single member of that previous select committee is actually currently a member of this Assembly — we could spend a lot of time debating the past, when it should be recognized that not a single member of this Assembly was actually at that table during the debate.

The reasons why that committee did not reach agreement on a final report, really, are matters that perhaps members of the new committee will gain a sense of in reviewing the transcripts and records of that previous committee. But all we can do as a Legislative Assembly at this point is decide how to proceed.

As we've indicated before, we believe that there are some areas that do need some adjustment prior to the report being concluded and being a final document that can be put into legislation. The details of what will be in that final report really need to be determined by the new committee during their deliberations and discussions. Another key distinction that occurred in this motion establishing the current committee on whistle-blower protection is that while the previous committee — the committee of the 32nd Assembly — was required to hold hearings with the public, the current committee is empowered

to do so if they feel it necessary. They are specifically empowered to have access to the work and the records of that previous committee.

The Legislative Assembly passed that motion. There was the opportunity for any member of the House to make an amendment, whether it be to the membership of the committee or to the terms of the committee. While there was an amendment that would have set a precise timeline in there for the committee concluding its report, that amendment for reasons that we discussed on that day — and I won't get into again — was not supported, but the motion itself was supported without a single dissenter by this Legislative Assembly and was subsequently passed.

What I would say — without reflecting at great length on the comments by the Leader of the Liberal Party — is that in establishing the motion, we believed it was important to provide an opportunity for all caucuses to be represented at the table. In bringing forward the amendment that I have just tabled, we believe it's appropriate to not bind the committee or appear to bind the committee into following an incomplete report that was done by the former committee on whistle-blower protection of the last Legislative Assembly. However, again I note and I emphasize that the committee is fully empowered by the motion that we did pass to consider the draft work and any other records and papers of that committee.

Again, what I would say in wrapping up my comments in the interest of time is that I just want to emphasize the fact that, really, for any select committee to work, it requires a commitment by members who are part of it from all parties, from all caucuses, to try to work together to try to address the serious policy issues and questions in a collaborative manner. With the sole exception of one select committee, all of the committees in recent years have done a good job of doing that. I would note to the interim Leader of the Liberal Party that, in fact, I would remind him that the first select committee that was established in recent years — the Select Committee on Anti-smoking Legislation — the member, I know, participated in that. I think he would agree that the end result was one that was quite collaborative in nature and that together the Legislative Assembly and the select committee established by that Assembly did come up with an end product that reflected the changing views of Yukon society and the health care committee, in particular, about the legislation related to where someone can smoke and where they cannot smoke out of respect for the issues around second-hand smoke.

I would encourage the member to take advantage of the opportunity to participate in this committee. I would encourage all members to put aside any preconceptions and political rhetoric with regard to this committee, and once the committee holds its first meetings, to focus on working together trying to fairly, respectfully and collaboratively deal with any serious policy issues it is presented with and to provide the Legislative Assembly with a final report that then allows the government to proceed with drafting whistle-blower protection legislation. So, to reiterate, if the amendment that I have proposed is accepted, the motion as amended would read: "THAT this House urges the Government of Yukon to proceed with drafting whistle-

blower protection legislation 'following receipt of the final report by the Select Committee on Whistle-blower Protection.'"

With that, Mr. Speaker, I commend the amendment to the House.

Ms. Hanson: Yes, Mr. Speaker, I will speak to the amendment. Actually, unlike some of my colleagues across the way, I think it is more important to actually keep focused on the amendment.

Unfortunately, this amendment that has come forward speaks and addresses and raises for me, as a member of this Legislative Assembly and I believe, the whole of the Official Opposition — a real disappointment here. I don't think I could be more unequivocal in having stated repeatedly the NDP's — the Official Opposition's — support for whistle-blower legislation. We have stated that time and time again. It was because of the real frustration of my colleague, Mr. Cardiff, that he was ruled out of order — yes, because it was an expression of his frustration that we've seen time and time again. This government — the Yukon Party — place good initiatives into a cryogenic state and I'm afraid that this is yet again another attempt by the Yukon Party to put a freeze on any move forward. The Member for Pelly-Nisutlin thinks that's amusing. Well, perhaps he might look pretty amused in a frozen state with that expression.

We're heard a lot of discussion from the members opposite. The Premier sort of gave us a mini-lecture earlier on "respect." The Leader of the Third Party sought to get an expression of respect for his position. A respectful notion in terms of amending this or any other aspect of this motion might have been, as he asked for an olive branch — was not to designate a member from another party, but suggest that the responsibility rightfully rests with the interim leader of that party, as opposed to naming somebody to be on this committee.

So that is one question that I would raise in terms of respect in this Legislative Assembly.

There was not even a nod in this amendment to the notion of the importance of expediting the work that has been on the books by all accounts by the platforms and the positions expressed by the Yukon Party, as we have said time and again, since 2002. So if I take the minister at his word, there is not an intention by the members opposite, unless they can express it in another way, to actually bring forward whistle-blower legislation before the end of this mandate.

What I have been looking for from the members opposite is something that would determine for this Legislative Assembly that we will not see another five years go by and they will not have moved forward with whistle-blower legislation, despite having made that commitment 10 years ago now. What we had sought, in our respectful amendment to the Third Party's motion, was simply to ask all of us in this Legislative Assembly to demonstrate that we would work to achieve whistle-blower legislation as soon as practicable.

The members opposite are not prepared to go there. I wonder why.

The Official Opposition will remain committed and will work diligently on whatever committee and whatever process is established to bring forward whistle-blower legislation. I believe we have already indicated that we would like to see that committee meet as soon as possible. We do not want it to go into limbo-land where meetings are not set before this legislative session is completed for the spring. We expect and we will be pressing to see a committee meeting before May 10, and then we'll be expecting to see a good schedule of activities for that committee so that we can see progress reported. With that, I'll end my comments there.

Amendment to Motion No. 45 agreed to

Speaker: Is there any further discussion on the motion as amended?

Hon. Mr. Graham: I'll keep my remarks relatively short. As a member appointed by this Legislature to this committee, I have listened with great interest to the one member's version of the history and some other members have also filled us in on the history of what has happened in the past. But I'm really not looking to the past. I'm looking to the future. I know, after talking to both of the other members on this side of House who were appointed to this committee, we have absolutely not been given any direction whatsoever to freeze this committee or to delay the committee in any way, shape or form.

I'm really looking forward to reading all of this information that's supposedly available or that will be made available to us, and, if necessary, if it's the will of the committee, to having public hearings, if such is necessary. But what I'm also really concerned about is the Member for Vuntut Gwitchin's comments that he has a dilemma here. I'd be more than happy to bring forward a motion or our House Leader will bring forward a motion to take you off the committee and put in the Member for Klondike on. We don't have any problem. I know, having worked with both the Member for Klondike and the Member for Riverdale South on another committee — I know how simple, or how easy, it was to get some work done on that committee.

I would love to work with them again. I have absolutely no preconceived notions about this legislation whatsoever and, having talked to both of my colleagues here, neither do they. We are going into this with open minds and look forward to the process and hopefully looking forward to coming up with a report that is acceptable to all members of this Legislature.

Speaker: Do any other members wish to speak to the motion, as amended?

Member for Klondike, as there are no other members wishing to speak, do you have a closing comment on your motion, as amended?

Mr. Silver: I have no comments to the motion, as amended.

Motion No. 45, as amended, agreed to

Hon. Mr. Cathers: 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 (Ms. McLeod): Order please. Committee of the Whole will now come to order.

The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*. We're going to begin with Vote 8, Department of Justice — I'm sorry, Vote 55, Department of Highways and Public Works.

Mr. Tredger: I was under the impression when I left the House Leaders' meeting this morning that we would be doing Justice.

Chair: That is what I said to begin with.

Mr. Tredger: And that's what I understood, but now you're saying Highways and Public Works.

Chair: My Order Paper says Bill No. 6, 2012-13 budget, Highways and Public Works.

We will recess for 15 minutes. Thank you.

Recess

Chair: Order. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*.

Bill No. 6 : *First Appropriation Act, 2012-13* — continued

Chair: We will continue with general debate on Vote 55, Department of Highways and Public Works.

Department of Highways and Public Works — *continued*

Hon. Mr. Istchenko: I just wanted to — I touched on a lot yesterday in my opening remarks on the highways end of things. There are airports and IT stuff I'd like to touch on before we get into debate with members opposite.

We were talking about the diverse department that I have, and another important component of Yukon's transportation system is our airports and aerodromes. The Department of Highways and Public Works operates and maintains four airports and 25 aerodromes. It also manages the Yukon's community aerodrome radio station, otherwise known as CARS, a program on behalf of Nav Canada.

I am proud to note that, in the past year, there were over 267,000 passengers arriving to and departing from our local international airport. This is an increase of 6.6 percent from 2010. Since 2002, annual passenger activity increased by over 116,000 travellers.

This is very noteworthy and shows how important it is to ensure that the Erik Nielsen International Airport is able to meet the standards of increased volume of people visiting the

Yukon. It is Highways and Public Works' mandate to provide the necessary infrastructure to support safe air travel and support commercial growth and the needs of emergency services, such as wildland fire management and, with this in mind, the department is allocating \$3.3 million toward improvements of the sewer and water systems at the Whitehorse airport.

These improved systems will enhance the reliability of the wildland fire airtanker base, improve service delivery to commercial leaseholders at the airport, allowing them to expand their operations and will also allow for future development in this area.

While we speak of the future growth and being prepared, I am pleased to say that Highways and Public Works is committing \$1.875 million toward other airport improvement projects to support air site activities, including taxiway improvements, hangar rehabilitation and an installation of a second bridge. The second bridge will be installed to further enhance the functionality of the improved and expanded Whitehorse airport. We won't have everybody trying to use one at the same time when the planes land. The department manages the integrity of taxiway surfaces through its surface-management system.

Routine reports from the surface-management system identify areas in need of repair so that the integrity of these surfaces is preserved. Providing the best taxiway and parking surfaces for aircraft can lead to increased commercial activity. This is an important element to Yukon's healthy economy.

Yukon community aerodromes, which are near and dear to my heart, are an important link for Yukon's rural areas. These airports support the provision of essential services such as medevacs, police services and fire management. The CARS program provides aircraft landing and takeoff aerodrome information and radio communications, flight planning assistance, weather observation at eight airports and/or aerodromes. The investment of \$1.175 million will ensure ongoing upgrades to these facilities and maintain the integrity of Yukon's community airports. These improvements for this year will happen in Burwash, Dawson and Mayo. These improvements will include the levelling of the airfield, some brushing, safety and security improvements, lighting and navigational aid upgrades, installing run-up pads and the application of the EK-35 runway enhancement.

I would like now to address the Public Works portion of my department. The Property Management division of Highways and Public Works is planning for addressing the realities and the needs of Yukon government's building portfolio.

We discussed this quite a bit with some of the questions that have come from the side opposite. The Government of Yukon's buildings include many facilities, such as schools, office space, highway camps, nursing stations and more. Together, these buildings represent the critical infrastructure to fulfill the government mandates. A significant portion of these buildings are older and require maintenance. Age and insufficiencies make them more expensive to operate on a relative basis. Without addressing our building portfolio needs, these buildings represent an ongoing financial and program risk. We have had this discussion.

Effective planning and management — some of the stuff we are coming forward with — and maintenance of our facilities are essential components to our fiscal responsibility, our management of risk, and overall effectiveness as a government. There are also potential energy savings, economies of scale and programs, synergies that could be realized through the holistic management plan with a focus on portfolio optimization — that is all of the departments together.

The Property Management division seeks to match the demand for property with available supply — dispose and liabilities — and increase the value of the government's assets. We also need to be strategic in procuring and managing real estate.

Over the last year and a half, our government initiated new processes that require departments to conduct a systematic assessment of their space needs, as well as a comprehensive business case to consider all available options and their implications.

These requirements ensure that an appropriate level of due diligence factors into all decisions, including the consideration of short-term and long-term financial and program implications. The Property Management division is committed to replacing the Ross River arena. As the performing department, Highways and Public Works will be managing the construction of the \$7-million project to be built over two years. The new structure will be built on the existing site with a natural ice surface, a single-story community-use area and change rooms will also be put into place.

The Property Management division of Highways and Public Works is working with the Yukon Women's Transition Home Society to develop and manage a long-term reference for a design/build request for proposals for second-stage housing that will be called "Betty's Haven" for women and children fleeing abuse in the Yukon.

Working in collaboration with the Women's Directorate, Highways and Public Works is offering technical expertise for this critical \$4.5-million project. The Property Management division is charged with providing industry standards advice, as per project management guidelines, to the Women's Directorate and the Yukon Women's Transition Home Society throughout both the design and construction phases of this project.

Our Property Management division works hand-in-hand with all other departments in the government. My department is working to develop a sound portfolio management system that requires all departments to work collaboratively as a means of determining the best possible means of managing government real estate.

Another component of my diverse department — the last one I want to talk about — is ICT, the communications technology division. The division provides valued cost-effective information management, information technology and telecommunications support for the delivery of services to the public and for Internet government administration. Yukon government's information technology capital budget is managed by ICT. This year's \$6.9 million is dedicated to the Yukon government's information management initiatives, which include

replacing, enhancing and introducing technology assets to improve Yukon government's delivery of services and support the reporting needs of government. Also under the department's ICT mandate is a multi-year corporate initiative that improves records management practices across government to a standard that will support the management of digital records. The department has allocated \$1.11 million to this important initiative that is so necessary in this age of evolving technology.

From my opening remarks, these are only some of the highlights that Highways and Public Works 2012-13 budget. There are other highlights, and one worth mentioning is that Highways and Public Works is building capacity. As part of our strategic planning, we are building local capacity in our partnerships with First Nations, municipal governments and our citizens — capacity to plan and manage capital projects; capacity for Yukon workers to gain valuable experience and increase local numbers of tradespeople; capacity for increased tourism; and capacity for access to our valuable local natural resources.

Highways and Public Works is certainly contributing to a vibrant and healthy economy. My department's initiatives contribute to an optimistic future for Yukoners; a future filled with opportunity for growth that could only come from a government that is practising good governance and achieving a better quality of life. So thank you, Madam Chair.

Mr. Tredger: I just want to return to a few questions I had at the end of the last day for the minister. I had talked about building a leadership, and he referred me to the federal regulations around the transportation of dangerous goods. You mentioned the spill line. Many people —

Chair: Not "you". Please say "the minister".

Mr. Tredger: The minister — gosh, there I go again. The minister mentioned the spill line and to me, it sort of indicated the need for comprehensive publicity so that people are aware of how they can get hold of that quickly. As we know, if there is an accident, the quicker the information gets out and the more information the responders have, the better. I still would look for something in terms of reporting so that when an emergency responder attends, they have ready access to not only the types of materials that are being hauled, but the amount and the potential hazards and perhaps a quick way of dealing with them.

Again, training for the local EMR responders — we talked about how difficult a job it is and the challenges of keeping and maintaining people in those positions — often they're voluntary; sometimes, they're not — but an overall training program. Again, it may not come out of Highways and Public Works, but if the departments can coordinate around that, something along those lines would be very beneficial and, I think, help us so that we can reassure the Yukon public and the people who are responding on our behalf to emergencies that there is a comprehensive plan in place that involves all the personnel and all the departments — and that the information is out there. So, if he could respond in terms of the leadership and where that's going.

Hon. Mr. Istchenko: To get back to the member opposite, we talked yesterday, when we were debating this, about the EMS, which is under Community Services — but we talked

about it being federally regulated. We also talked about — I was talking about my weigh scales and talking about some of the permits that they need with the safety equipment that they have when it comes to responding to spills and having a spill line. I know I can assure the member that there are things in place for the protection of the environment if there is a spill. I see where the member is coming from: taking the direct leadership.

What I will commit to is something that I thought about after you asked me the question yesterday, sitting down in my office and going through what we have — existing stuff that we have, and maybe look at having it a little bit more organized; taking more of a leadership role, because this is transportation on our highways; maybe just a little bit of positive advertising — the numbers that you can call; who you can call, and go through that way. I know the RCMP are really, really good. We have had spills in our community before and they are quite on top of stuff all the time, so I will commit to looking at that to see if we cannot streamline it and make it more accessible for all Yukoners. And I will get some of the stuff I spoke to with our ICT stuff — some of this stuff is going to start to link together with our better Internet technologies, and better communications.

Mr. Tredger: I appreciate the minister looking into that and I would be more than willing to work with him, if I come up with some ideas. I am sure we have developed a bit of a relationship and I can bring some of my concerns forward. I understand that the drivers and those who are dealing with the materials are trained. Sometimes in an accident or something, they may be incapacitated, and so it falls on the shoulders of the emergency responders.

I did have a couple of questions related to specific areas or concerns from my area. I've raised the one with the minister opposite before, but the bypass road in Carmacks has been talked about and bandied about for many, many years and the feeling is that it keeps getting put off and put off. To them it's a real safety concern. The minister had mentioned having plans in place and thresholds that needed to be reached in order to build such a thing. If that were able to be made public, that would certainly help people realize, yes, we are on a list or yes, once this amount of traffic is being used, once these types of vehicles are going over it, that will be taken into consideration so that they can at least see that it's being looked at, that it's not some decision that is made off in the Netherlands, but there is real science around it and it looks at need and safety and from there.

Can the minister tell me when the people in Carmacks can expect the bypass road to be built? What thresholds do they need to reach to be able to ensure that the safety of their children is looked after?

Hon. Mr. Istchenko: I'm not sure if I'm going to be consulting with the Dutch in the Netherlands, but when it comes to the Carmacks bypass — and I think I answered this before in our fall sitting in the House. I have had some meetings with some of the industry that are looking to develop in future — whether it is the Casino mine — some of the activity up the Freegold Road — and we looked at the number of vehi-

cles on there. We assessed it like we did everything else when we talked about the Whitehorse corridor, and we did do a little bit of upgrading.

I understand that everybody in Carmacks is looking at the brushing that we did there, but once traffic dictates — I can assure the member opposite that when the volume starts to come up — or before the volumes start to come up — and one of the big industry company comes into full projection, the bypass will be built. But until that time, it does not warrant it. There is not enough haul traffic. If mine production does come up and come into play, then absolutely, that would be the next phase: the Carmacks bypass. We would go back to the community one more time to make sure that business and the rest of industry there was all onside with it — one more consultation process — and then we would go forward with it, but right now it doesn't warrant it. They are only in the development of a lot of those mines up the Freegold Road and the Casino Trail.

Mr. Tredger: I guess the concern I have around that and what immediately comes to mind is that by the time a mine gets to the developing stage, there has been a lot of exploration activity, a lot of transportation of goods. The traffic is increasing, we know. The amount of exploration in the area is increasing. In terms of cumulative effects, it's not just one mine or two mines. There are potentially five or six in that area. They're all trucking dangerous goods, heavy goods and B-trains full of materials over and through a residential area. It is creating a lot of concern in the community, and I just wanted to be sure that we don't wait until after something happens or until there's such a huge volume of traffic that we have no choice. So let's try and get out ahead of the curve and let's anticipate that.

My final question for the minister opposite — perhaps it will be my final — would be around the aerodrome in Pelly Crossing. You mentioned the efforts being made to upgrade the airports across the Yukon.

The airport in Mayo, the airport in Carmacks and the airport at Thistle Creek have all become extremely busy, and there is the potential for the airport in Pelly Crossing to service industry. But there is also a second part to the airport at Pelly Crossing. It is where essential services could land. It used to have medevacs going in and out of it; they no longer do. People have to be transported by ambulance, either to Carmacks or to Mayo. It is a real concern to the people of Pelly and, again, lacking a definite plan or something that I can put in front of them, is there a threshold in terms of how decisions are made as to what is the order of development? Can we look at three years down the road, five years down the road, or perhaps even this summer as to when that airport should be upgraded for the safety of the residents in Pelly Crossing, considering also the increased activity in the area and the need for industrialization — to be able to get in and out of the area quickly should an accident occur — the increased traffic on the highway and, again, the need for transportation around that, as well as the local residents? Thank you.

Hon. Mr. Istchenko: I'll get back to you about the first question asked from across the way. When we're talking about the Silver Trail and the Freegold Road — we have traffic counters on all our roads, whether it be the Aishihik Road, the

Snagg Road — and we monitor them yearly. I can, for the member opposite, get the numbers of the traffic in the past few years. That's how we gauge whether we need to look — the future. That's how we can tell if we know it's a 150-percent increase in vehicle traffic. The other thing is — the member talked about multi-mines, and when it comes to all the mining companies out there — whether they are through Energy, Mines and Resources or Environment and with all the different departments — when it comes to the roads and the road access, we're in consultation and in discussions with them at all times, so when they go into a different phase — go from just exploration into developing and building the mine site, with increased traffic we know that. They give us the numbers.

They will let us know they have increased L&G trucks coming on the road for our electricity, for example. We get this information from them and that is also how we gauge and look at — we looked at the Carmacks bypass before. We looked at what existing traffic was there. I know that we looked at the bridge; we built a couple of pullouts on either side for the truck traffic. That was sufficient for the amount of traffic that they had. In the future, we will monitor it through our counters on a regular basis.

To the aerodrome: there is no money set aside this year, but for the next fiscal year there is money set aside for airports. When we look at our aerodromes, we look at the same thing as we do when we talk about all of our roads. We look at traffic through our CARS reporting and through our flight plans the amount of traffic that is at airports. As you know, looking at a department with so many aerodromes and stuff like that — the busiest ones like Mayo were prioritized this year because it has more traffic than the Pelly one. But that is how we operate, like we do with our roads.

Safety is always of the number one utmost importance. Certain airports are of certain lengths. For bigger airplanes, we need a longer airport and a longer runway surface, but the runway surfaces for the planes that land there are in good shape, safety-wise.

So we work with the aerodromes and in the big scale of things we go on air traffic, like we do with our roads and vehicle traffic. There is some work that will be done the next fiscal year that we put in, planned for the budget for the Pelly airport.

Mr. Tredger: Just a final couple of comments: I guess, in terms of looking at traffic on the roads — and I appreciate what the minister said about safety — the idea that it's going through a residential area. It's not only the number of the vehicles that are using it. It's the size and the potential hazard of the vehicles that should be taken into account — the gross vehicle weight and things like that. I'm sure they sit there in a formula someplace. I appreciate the minister looking at that. I do want to emphasize safety. With the airport, it's the potential use — if nobody can land on the airfield, they're not going to get a lot of traffic. But there is the potential use. I know from the perspective of the people in Pelly Crossing and Carmacks that safety issues are of paramount concern. I thank the minister for looking into them and following up on that.

Hon. Mr. Istchenko: I would add one more thing about when I met with the community of Carmacks and talked about the Carmacks bypass.

When the department talked to the mining companies or the small miners who are accessing and using those roads, there was a lot of discussion behind travelling times — no nighttime travel, school times — all that stuff came into consideration. Our department — when it comes to safety, it's of utmost importance for us also because we're liable; it's our highway. We do look at all that stuff when it comes to safety. I just wanted to let the member know that it's not just the amount of traffic, but the weight of it, when they run, the time they run, and through the consultation process in the communities, you get a lot of that information.

Ms. Moorcroft: I'll begin by returning to some of the questions that I had asked the minister yesterday. I am wondering if there is any further information available and will be asking him some follow-up questions. I am referring initially to the Highways and Public Works strategic plan, part B, annual planning for 2011-12. I did make some references to items in that document yesterday, in particular, relating to the goal of advancing strategic corporate initiatives through interdepartmental cooperation.

When I asked the minister about the objective to build new First Nation relations in a modern treaty environment, he indicated that one of the activities the department was engaged in was the Yukon asset construction agreement. Another strategy in the department's document indicates that they will be working to develop a plan to enable First Nation groups to use the Property Management division's capital asset information and knowledge system to record their own asset data and manage capital projects.

I'd like to ask the minister if he's aware whether that strategy has yet been implemented.

Hon. Mr. Istchenko: I'll first address the YAC agreement, and that is the agreement under the UFA that we discussed yesterday. One of the initiatives that we are undertaking in our department right now is having a First Nation employee shadow one of our employees, learning and using this YAC agreement. So, when we sign onto a YAC agreement, like the agreement we had, for example, on the correctional facility, they can come out of these agreements with some sort of training when the project is finished.

So if we use these YAC agreements and a First Nation employee can shadow or work with the contractor, he can come out with some better business skills, some managerial skills on project management skills. These are sort of the initiatives that we're looking at. I'll just have to defer the second question.

The answer to the second question: We have two departments working on asset-management tools. Property Management is updating our systems and they should be new and in place this summer. Community Services is working with the municipalities and the First Nations on asset management. Some of the new initiatives and stuff that I'm proud to say that we're doing — one of the big ones is e-commerce, and that's a new systems update.

It's where we can accept credit card payments. We increase on-line payments, improving access for contractors to read bids and stuff. So this is some of the moving forward that we're proud to say is coming out of our department — and we're working with the other departments.

Ms. Moorcroft: I'll thank the minister for that answer, and I'd like to ask him again — based on the strategy written by the Department of Highways and Public Works, they have indicated they would develop a plan to enable First Nation groups to use the capital asset information and knowledge system. In his response, the minister said that Highways and Public Works was working on one item, and Community Services is working on another. My question remains: Has that work on the part of the department been completed to enable First Nation groups to use the capital asset information and knowledge system for their own purposes?

Hon. Mr. Istchenko: The answer to that one is that it's still in the development phase. So it's not like something is completed that they've been accessing yet.

Ms. Moorcroft: Does the minister have an idea of when that might be completed? Do they have a target date for completing it, so that the First Nation groups would be able to record their own asset data and manage capital projects using this system?

Hon. Mr. Istchenko: For our property management stuff, it's probably looking more like a year. For the Community Services stuff, I think that's something you could bring up when we debate Community Services. I don't have the answers for that one.

Ms. Moorcroft: I certainly intend to limit the debate to Highways and Public Works today. I would like to move on to the strategic objective to combat poverty and promote social inclusion. The minister didn't mention yesterday that one of the strategies the department is working on to achieve that objective is to accommodate job placement requests from community agencies, such as Challenge Community Vocational Alternatives, and also make workplace accommodations for persons with disabilities and train co-workers to support these arrangements.

I would like to ask the minister if he can report on any progress on accommodating job placement requests, and then proceed to speak to the accommodations for persons with disabilities.

Hon. Mr. Istchenko: We do still support the Challenge program, but the Public Service Commission will come to us with people with disabilities and see if we have job placement for them. We look at what we have — if we have an employee that — and you see this once in awhile — like more often that an old truck driver gets a bad back and he cannot drive a truck any more, but he is still in the department. That is a disability, and we look to see if we could find another employment placement within the department or other departments for him.

Ms. Moorcroft: This department, like all Yukon government departments, has a responsibility to ensure that the government fulfills the representative public service plan — previously known as employment equity; sometimes also re-

ferred to as workplace diversity — as an element of achieving a representative public service plan. One of the goals of the government in achieving a representative public service is to increase the numbers of persons with disabilities employed in the public service and also to support return-to-work and the duty-to-accommodate employees with disabilities in the workplace. Yesterday when we were discussing this, the minister indicated that when an employee was hired, then the government would look to making the necessary accommodation if that employee had a disability and required accommodation.

I would like the minister to indicate that he does in fact support the representative public service plan goals and that his department is working actively to make sure that all government buildings are moving toward being able to accommodate persons with disabilities and not waiting until they must accommodate someone who has already been hired.

Hon. Mr. Istchenko: Yes, we do support that — Highways and Public Works does. Whether it is Public Service Commission that has a diversity employment office, or Health and Social Services with their funds for Challenge, we take placement from different departments that we do accommodate. Also, when we talked yesterday about our buildings — we're working on that. We're moving forward on it, as time and as money dictates. Some of the things we talked about and I talked about yesterday were the long-term leases and construction of new buildings, so when we do look at new leases and when we do look at new buildings we come to the standard that is required.

Ms. Moorcroft: Okay, I'd point out to the minister that because of the regional nature of service delivery, Highways and Public Works has a unique opportunity when working toward a representative workforce.

I would like to ask how it is measuring the representative nature of its workforce that is required under chapter 22 of the First Nations' final agreements?

Hon. Mr. Istchenko: The Public Service Commission takes the lead on that and we follow what the Public Service Commission comes out with. I can tell the member from experience that in my riding we have a lot of First Nation members working in our department and I've seen it increase. We have a lot of good First Nation employees working out there to provide safety to the travelling public or some of the other activities that they do.

Ms. Moorcroft: The department does have a human resources budget. In the Corporate Services branch, there is over \$1 million for human resources. I'm wondering whether the Department of Highways and Public Works still maintains statistical data on the employment of people within its department.

Can the Department of Highways and Public Works generate a report that will indicate how many First Nation people are working for the department in various groupings? How many women are working? How many people with disabilities are working in that specific department? Do they compile that information?

Hon. Mr. Istchenko: The Public Service Commission has a board right now doing a census, looking at all the different departments. They do that primarily.

Ms. Moorcroft: It is my understanding that the Public Service Commission gets the data from the departments — that the departments, in having their own human resources staff within the departments, do know who is working for them and do record that data and provide it as requested to the Public Service Commission. Is that the case?

Hon. Ms. Taylor: Maybe I'll just intervene here because I'm not sure if the member opposite understands this to the fullest degree. As the minister just pointed out, there is a workforce census underway as we speak, one that hasn't been taken for some time. That is being led by the Public Service Commission.

When it comes to hiring practices, that is a matter that is delegated to each of the respective departments to perform that very duty when it comes to hiring. I hope that helps address some of the questions put forward by the member opposite. We will certainly have a much better understanding and reflection of our workforce. Also, to be very clear, when it comes to each of our employees, it is voluntary as to what information is put forward by each of the respective employees.

Ms. Moorcroft: I will pursue those questions further in debate on the Public Service Commission. Yesterday, we spoke about the Yukon government's procurement regime and contracting procedures. Referring again to the strategic plan of the Department of Highways and Public Works, it indicates that one of the strategies is to develop a plan to standardize generic procurement specifications for 30 percent of Property Management division procurements in 2010-11 and 60 percent in 2011-12.

I'd like to ask whether the Department of Highways and Public Works has achieved this goal of 30 percent for 2010-11 and 60 percent for 2011-12.

Hon. Mr. Istchenko: We don't have actual specific numbers, but we have made progress and we're working toward having standing offer agreements. That's working within the department and also working with some of the other departments.

Ms. Moorcroft: I'd like to turn to the minister's responsibilities in relation to acquiring, developing and managing real estate for government departments and agencies. As the minister indicated in his opening remarks today, that includes schools, office spaces, even some residences. Can the Minister of Highways and Public Works tell me whether all Yukon government owned and leased buildings have been inspected by a certified oil burner mechanic within the past four months?

Hon. Mr. Istchenko: In our owned buildings, we follow the rules and the regulations, and the buildings are inspected as dictated.

When it comes to our leased buildings, sometimes, depending on the agreement, it will be the landlord or the lessee. So we do the ones that we are required to do.

Ms. Moorcroft: This is a matter of serious public concern, and I am going to come back to the minister and ask him for more information.

Let's start with Yukon government schools. Has every school in the Yukon that has an oil burner in it been inspected

by a certified oil burner mechanic within the past four months? Does the minister know?

Hon. Mr. Istchenko: I can commit to the member that I will get back to her with that answer.

Ms. Moorcroft: Does the minister agree that recent events would indicate that it is a matter of public concern and it is a matter of essential building safety to ensure that oil burners are inspected by licensed oil burner mechanics?

Hon. Mr. Istchenko: I think I have already answered that question. I have confidence in the staff, in light of what happened this year. The department does not take this sort of thing lightly and I have total respect for my staff that this is of the utmost importance.

Ms. Moorcroft: I'm not aware that there are any staff within the Department of Highways and Public Works who are in fact assigned to inspect government buildings and to look into the safety of oil-burning appliances. So can the minister explain his remark?

Hon. Mr. Istchenko: We have certified oil burner mechanics who maintain all of our infrastructure and all our buildings on a regular basis. I'm not the one who does it; I'm not a certified boiler inspector. But we have staff members within Property Management who do it in the schools and all our infrastructure, or we will contract some of that out also.

Ms. Moorcroft: Could the minister advise how many certified oil burner mechanics are employed within the Department of Highways and Public Works, and what schedule of inspections do they maintain, not only for schools, but for other Yukon government-owned buildings?

Hon. Mr. Istchenko: Yes, I can. I will get back to the member with that information.

Ms. Moorcroft: The minister indicated that he had confidence in the staff, so I would like to know how many staff are employed and how regularly they do, in fact, inspect oil-burning appliances in buildings that are owned by the Yukon government. Does the minister believe that there should be that same standard applied to the buildings that the Yukon government leases?

Hon. Mr. Istchenko: I believe that is set by the law and they have an inspection branch.

Ms. Moorcroft: Could the minister please reference which laws he is referring to?

Hon. Mr. Istchenko: It's run out of Community Services, and it depends on the type of unit you have. I'm not sure, but I can look and get back to the member on exactly what the law is called.

Ms. Moorcroft: I appreciate the minister's answers. I just want him to confirm that he said that his department has employees who are certified oil burner mechanics and that they do inspect school buildings and Yukon government-owned buildings, but not necessarily leased buildings. Is that correct — my understanding of what he just said?

Hon. Mr. Istchenko: Yes, that is correct.

Ms. Moorcroft: Would the minister agree that the members of the public at large deserve the same standard of safety as children in our schools or employees working in government buildings?

Hon. Mr. Istchenko: Can you ask the question again? I missed that one, please.

Ms. Moorcroft: I can appreciate it must be difficult for the minister to hear the question when the Government House Leader is speaking to him while I'm asking a question. I'll be happy to repeat that.

I asked the minister whether he would agree that the public at large deserves the same standard of safety as the minister ensures is applied to the safety of children in our schools, to employees in government offices, or to employees living in staff residences or other government-leased buildings.

Hon. Mr. Istchenko: I'm not going to comment on the general public. I commented on the Highways and Public Works end of it. I know at my own house I take great pride in safety.

Ms. White: I'd like to move into the French Language Services Directorate, if we could.

Some Hon. Member: (Inaudible)

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

Recess

Chair: Order please. Committee of the Whole will now come to order. We will continue general debate on Vote 55, Department of Highways and Public Works.

Ms. White: Thank you very much for being here and thanks to the minister for making this possible. My first question is why is the French Language Services Directorate in the Highways and Public Works and not a more centralized location, or even in a department under the minister responsible?

Hon. Ms. Taylor: I thank the member. I, too, would just like to welcome our director for the French Language Services Directorate to the Assembly today and also extend my appreciation and thanks to each of the officials within the directorate who do good work day in and day out on behalf of the Government of Yukon.

With respect to the question that was posed, I would perhaps just step back. The actual directorate became an official directorate in 2006, as I seem to recall. Prior to that time, the directorate, which was a bureau, fell within the confines of the Executive Council Office. As a result — and I'll certainly pay much credit to the leadership of the previous minister responsible — there was an attempt to raise awareness and certainly pay much importance to the work of the bureau and to elevate its status to an actual directorate. The directorate at that time, because of the previous minister, who happened to also hold the portfolio of Highways and Public Works as well as Community Services, as I seem to recall — it was designated to that ministry.

Certainly it's something that we recognize, that as a result of the change since the last election and also recognizing going into years in perpetuity that we need to take a second look at how we certainly look at the governance structure of the directorate. But make no question about it, we certainly will continue to ensure that the good work of this particular entity remains a directorate. I, as the responsible minister, it can cer-

tainly be awkward at times, as we have just figured in this respect. I hope that provides a bit more clarity for the member opposite.

Ms. White: I, too, appreciate that it is a directorate and no longer a bureau. Has there been any consideration to moving it to Executive Council Office, as a more centralized location?

Hon. Ms. Taylor: The arrangement that we currently have with the Department of Highways and Public Works has worked well, and I'd like to thank the officials for the Department of Highways and Public Works for their ongoing support. When it comes to support, it is both shared services when it comes to finance, as well as human resources. Any change — whether it is placing the directorate within the Executive Council Office or within another body — certainly those are some of the things that we'll be looking into as we go forward. We certainly would like to have a discussion with the francophone community, as well, out of respect and as those discussions have evolved and continue to evolve.

Ms. White: Can the minister opposite please outline the responsibilities of the French Language Services Directorate? Can she explain how the goals that are reached are measured?

Hon. Ms. Taylor: Madam Chair, the mandate of the French Language Services Directorate is to support the Yukon governments and corporations, supporting their requirements of the *Languages Act* by providing ongoing support on the strategic planning and delivery of services in French through negotiating, managing funding provided by the Government of Canada, as well as providing translation, revision, and French web coordination services.

Primary responsibilities within the directorate include acting as the main liaison between the French speaking community and the Government of Yukon; also, as I referenced earlier, negotiating and managing funding agreements with the Government of Canada on the development, enhancement and implementation of French language services. We monitor, of course, and we report progress on our Yukon government's implementation of services, and we also, of course, report not only to Government of Yukon through the work of the departments and agencies, but we also report progress to the Yukon's French speaking community and to the Government of Canada, as there is a direct funding relationship between the Government of Canada and the Yukon government.

I should add that many of these accomplishments are actually reflected in the annual report of the French Languages Services Directorate. I will not go into great detail. I certainly could, but I'll leave that to the members opposite to review. The directorate also provides centralized translation, revision services of all written materials, such as brochures, ads, press releases, web content. It provides the centralized French web coordination services among our departments and corporations. We also provide ongoing support to the respective departments and agencies on questions they may have — of course, assisting each of our departments and corporations in planning for and delivering French language services.

A great deal of work goes on within the directorate. Again, its primary vision is to see that French-speaking citizens have access to government information and services in French, thus being able to participate more fully on both the economic and social fabric of the territory.

Ms. White: Thank you for the answers, and I look forward to asking more questions.

Madam Chair, I move that we report progress.

Chair: It has been moved by Ms. White that the Chair report progress.

Motion agreed to

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

Chair: It has been moved by the Government House Leader 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

Ms. McLeod: Mr. Speaker, Committee of the Whole has considered Bill No. 6, *First Appropriation Act, 2012-13*, 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. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:26 p.m.