

Yukon Legislative Assembly**Whitehorse, Yukon****Thursday, November 1, 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 Woman Abuse Prevention Month**

Hon. Ms. Taylor: I rise today to pay tribute to Woman Abuse Prevention Month, acknowledged in Canada in the month of November.

The highest proportion of spousal violence, regrettably, continues to be here in the north. Females continue to be the most likely victims in police-reported spousal violence, accounting for over 80 percent of victims. On any given day, shelter use in the northern territories continues to far exceed that of any other province.

Violence against women and children is a societal issue. It's an issue that affects women, and it's an issue that affects men. It's an issue that affects all of us and costs our communities dearly. Violence in our communities affects everyone and therefore requires collective action and a shift in the way we view violence and our attitudes toward those who abuse, as well as those who are the subject of abuse.

The prevention of violence against women is a priority of the Yukon government and is a key mandate of the Women's Directorate. In Yukon, the 12 Days to End Violence campaign takes place in the month of November as part of Woman Abuse Prevention Month.

This year's theme is, "Yukon men can end violence against women". The campaign begins on November 25, which marks the International Day for the Elimination of Violence Against Women, and ends December 6 with a National Day of Remembrance and Action on Violence Against Women.

The Women's Directorate is pleased to support women's organizations in developing activities and participating in this year's 12-day campaign activities program, starting with a launch that are all men are encouraged to attend and make a pledge to end violence against women.

During the event the Women's Directorate will also launch silhouettes as part of the Am I the Solution social marketing campaign to end violence against women and girls. The Am I the Solution campaign is designed to get Yukoners thinking about the issue of violence and what we as individuals can do to help influence the end of violence in each of our communities.

Silhouettes is an additional plank in the campaign for the public to engage through social art as another means of provoking discussion and action in our daily lives to end violence.

Silhouettes is comprised of a series of five wooden panels created by a local carpenter, each depicting unique and diverse women. The work is being completed by a visual artist who worked to develop them into lifelike silhouettes, each conveying the experiences and stories of individual women who have experienced violence in their lives, while drawing attention to the overall issue of violence against women through statistics and other messages.

Silhouettes will be displayed at various public spaces throughout the campaign. I would like to thank the subcommittee comprised of members of Les EssentiElles, Victoria Faulkner Women's Centre, Kaushee's Place, and the Women's Directorate for developing the concept and researching the content for each of the silhouettes.

I would also like to thank the members of the organizing committee for the 12-day campaign to end violence against women and girls, those being the Victoria Faulkner Women's Centre, Les EssentiElles, Whitehorse Aboriginal Women's Circle, Yukon Aboriginal Women's Council, Skookum Jim Friendship Centre, Yukon Status of Women Council, Yukon White Ribbon Campaign, and the Women's Directorate.

I encourage us all to ask ourselves how we can be the solution to violence in our communities and in our homes and not just during these 12 days, but each and every day. Thank you.

Ms. Moorcroft: I rise on behalf of the Official Opposition in tribute to November as Woman Abuse Prevention Month. Violence against women is a human rights violation. Government has an important role to play in promoting human rights.

Male violence against women is an urgent public health issue that occurs in epidemic proportions in Yukon. We know that the high rates of physical and psychological abuse of women remain completely unacceptable. The number of women, particularly in northern Canada, who are abused remain alarming. Women are six times more likely to report being sexually assaulted than men, and five times more likely than men to require medical attention as the result of an assault. Women are four times more likely than men to report being threatened, and four times more likely to report being denied access to family income. Aboriginal women in Canada are three times more likely to have been assaulted by their spouses than non-aboriginal women, and the number of suspected missing and murdered aboriginal women in Canada has recently increased to 600.

We live in a patriarchal rape culture. We have created a society that conceals the level of rape, the level of violence, and that many times blames the victim. We see this in the low numbers of women coming forward to lay criminal charges when they have been violated. We see this in the low rates of conviction for sexual assault charges. Most cases of abuse of women do not get reported to police. That fact raises the question: How are we providing security to abused women so that they feel able to report criminal offences, particularly sexual assault?

We see this where the fabric of support for women who are marginalized is being ripped apart. This rape culture puts

women at risk. When young women speak out about violence against women, we see them ridiculed and oppressed. We need to support the women who work for a society where all women are safe.

For too long, women have been carrying the burden of being responsible for creating programs to end violence and for offering services to battered women. We need men to take on the responsibility for ending violence against women. We need men to stand up and speak out. We need men to stop the sexual exploitation of women. We need men to be role models, to be committed to having good relationships and to be accountable and responsible for how they act.

Yukon men can end violence against women. I acknowledge the men who do speak out and organize to prevent violence against women. I would like to acknowledge the men who work on the Whitehorse White Ribbon campaign. This creates an environment where more men will speak out. We need to hear more men promoting women's safety. We need to support more of this kind of action.

In August, Kaushee's Place had 126-percent occupancy.

That means women are doubling up in bedrooms and that women are having to stay longer in crowded conditions because of the lack of safe, affordable housing. In recognition of Woman Abuse Prevention Month, we pay tribute to all the people working on the problems of woman abuse. I acknowledge the members of Yukon's non-government organizations — the Victoria Faulkner Women's Centre, Whitehorse Aboriginal Women's Circle, Les EssentiElles, the Yukon Aboriginal Women's Council, the Skookum Jim Friendship Centre, the Yukon Status of Women Council, and, of course, the Women's Directorate itself, for the work they do to address woman abuse. In particular, I would like to acknowledge all of the transition home workers who, in their daily lives, work to support women who have been abused.

Mr. Silver: I rise today on behalf of the Liberal caucus and the Independent member to pay tribute to Woman Abuse Prevention Month. In 1999, the UN General Assembly designated November 25 as International Day for the Elimination of Violence against Women. Woman Abuse Prevention Month presents an opportunity to raise awareness about violence against women and its prevention.

It is every woman's fundamental right to live in safety and security in their homes and communities, free from the threat of violence. All forms of violence contribute to the very real fear and suffering that women in our society today endure. These abuses can take many forms, such as assault, domestic violence and spousal abuse, and physical and mental cruelty.

No matter the name, it has to end. Children exposed to domestic violence, whether victims or witnesses, also so need our help as this has significant impact on the lives of these children and their futures. Without intervention, they are at higher risk for failure in school, emotional disorders, substance abuse, and perpetuating violent behaviour later on in life.

We need to work on changing social attitudes about violence against women. We need to speak out against violence abuse when we see it happening. We must teach our children

that men and women are equal in our society. Ending abuse and violence requires a collaborative effort involving every part of our society. We all have a role to play in communicating that abuse and violence are always unacceptable. Let each of us resolve to be vigilant in recognizing and combating domestic abuse in our communities. Violence against women and girls is not limited to any culture, religion or a country, or to any specific group of women. Fear and shame continue to prevent many women from speaking out or asking for help. We ask that anyone who has been or who is being subjected to violence speak out and seek help, for without help abuse only gets worse.

We would like to pay tribute and express our thanks to the many organizations, agencies, front-line workers, staff, volunteers and supporters for providing confidential shelter, support, counselling, and advocacy for women and children in crisis and for providing hope.

Let us all work together to take a stand to end violence and abuse against women. Thank you.

In recognition of Mothers Against Drunk Driving (MADD) and Project Red Ribbon

Hon. Mr. Istchenko: I am pleased to rise in this House to pay tribute to an organization that has been working hard for over three decades to increase awareness of the devastating consequences of alcohol-related crashes. MADD has become a name that Canadians recognize, as they lead the way to bring public awareness and education programs to stop impaired driving with its stated purpose — quote: "To stop impaired driving and to support victims of this violent crime."

Recent figures indicate that, on a per capita basis in the Yukon, there are approximately three times more fatalities as a direct result of drinking and driving than the national average. There are also approximately four and a half times more convictions for impaired driving here in the Yukon than the national average. These statistics indicate that we have a lot of work to do. It is vital that people remember that drinking and driving is a totally preventable crime, and every life that is lost or changed by impaired road crashes affects all of us in our small communities.

Highways and Public Works, MADD Yukon and the RCMP are continually working on initiatives to remind all Yukoners that road safety is everyone's business and everyone's responsibility. On behalf of my department, Highways and Public Works, and all of the Yukon government, I would like to extend our gratitude toward MADD, the Whitehorse chapter, and the RCMP. We are honoured by your presence here in the Legislature today. There is no doubt that the work you do has saved countless lives over the years.

Also, I want to take a moment to honour the thousands of volunteers who have worked for MADD over the years — for your dedication and commitment to making every one of us realize that drinking while impaired is not only extremely dangerous, but a criminal offence and it is preventable. We look forward to continuing our collaborative and collective efforts to prevent people from drinking and driving and to remind Yukoners to make smart choices. The key to road safety is planning

ahead. Take a cab, be a designated driver, or call for a safe ride. We have choices to be smart.

Today marks the start of the Project Red Ribbon campaign — this is the 25th anniversary — an important initiative by MADD to remind us of the role we play in the prevention of drinking and driving. All Yukoners play a part in this prevention of drinking and driving and I encourage everyone to wear a red ribbon. On this note, today I committed at the ceremonies earlier today for our fleet vehicles to all sport a red ribbon. The choices that everyone makes remind everyone that we shall not drink and drive.

INTRODUCTION OF VISITORS

Hon. Mr. Istchenko: In the House today, Mr. Speaker, I would like to introduce Daniela Martinson — she's the president of MADD, Whitehorse chapter. Jan Trim is here — she's a victim services chairperson for MADD, Whitehorse chapter; and also Cpl. Shawn Pollard, RCMP, Highway section.

Applause

Ms. Stick: I rise on behalf of the Official Opposition to pay tribute to Mothers Against Drunk Driving, or MADD, on this Project Red Ribbon day. MADD is a volunteer organization that began 25 years ago and the local chapter was formed in 2003. MADD has chapters across Canada in over 100 communities.

The mission is to stop impaired driving and to support the victims of this crime. Project Red Ribbon targets the Christmas and New Year holiday season, which is the busiest time for parties and events that may lead to heavier drinking. Donations are taken for the long red ribbon, which is tied to a vehicle antenna to remind everyone about the importance of driving sober.

As well as the Red Ribbon campaign, MADD provides many services, such as gathering and publishing statistics, working with youth in schools, working on government policy initiatives and helping victims of impaired driving cope with the emotional, legal, medical and financial impacts. It also presents on-line advice on how to deal with specific circumstances, such as reporting impaired drivers and other situations that may be awkward.

The rates of impaired driving remain high, with between 1,200 and 1,500 Canadians killed and over 63,000 injured. Better legislation, increased enforcement and awareness programs have all helped to reduce the rates in the last 25 years, but more needs to be done. In the Yukon, in October, over the three-day Thanksgiving weekend, nine charges of impaired driving were reported by the RCMP — one charge would have been too many. We commend MADD on their Red Ribbon campaign and urge all Yukoners to not drink and drive.

Mr. Silver: Today I rise on behalf of the Liberal caucus and the Independent member to pay tribute to the 25th anniversary of MADD Project Red Ribbon campaign. Project Red Ribbon runs from November 1 to the first Monday after the New Year to promote sober driving during the holiday season.

The ribbon reminds people to plan ahead for a safe ride home if they are going to be out drinking. It also serves as a tribute to those who have been killed or injured in impaired-related crashes and every year, as mentioned, between 1,250 and 1,500 people are killed, and more than 63,000 are injured as a result of impaired driving.

The small but powerful red ribbon symbolizes the commitment to drive sober, and reminds us that death and injuries resulting from impaired-related crashes are needless and preventable. Red Ribbon continues to fly as a symbol of the ongoing efforts of MADD Canada to get the public thinking about the need for safe and sober driving.

Impaired driving is the number one cause of criminal death in Canada, and yet every impaired driving crash is preventable. Alcohol is the most commonly used drug by youth, more than all illegal drugs combined. By encouraging our young people to live a drug-free life and heightening the awareness of the dangers of impaired driving, we can help save their lives and prevent injuries on the roads.

We must each make the commitment to help make our roads and communities safe from impaired driving — not just this holiday season, but all year-round.

In recognition of Movember

Hon. Mr. Pasloski: I rise today to pay tribute to Movember, which is an annual, month-long event involving the growing of moustaches during the month of November to raise awareness of prostate cancer and other male cancer initiatives.

The vision of Movember is to have an everlasting impact on the face of men's health by encouraging men known as "Mo Bros" to get involved. Movember aims to increase early cancer detection, diagnosis and effective treatments and ultimately reduce the number of preventable deaths. Besides getting an annual checkup, Movember encourages men to be aware of any family history of cancer and to adopt a healthier lifestyle. During November each year, Movember is responsible for the sprouting of moustaches on thousands of men's faces in Canada and around the world. These men raise vital funds and awareness for men's health, specifically prostate cancer and male mental health initiatives. Mo Bros effectively become walking, talking billboards for the 30 days of November. Through their actions and words they raise awareness by prompting private and public conversations around the often ignored issue of men's health.

The Movember initiative also provides information and support for men and their families affected by prostate cancer. This in turn helps them make informed decisions and improves their quality of life and increases the understanding of the health risk that men face, and encourages men to act on that knowledge.

We have seen that prostate cancer is an issue that men typically do not speak about. Through Movember and the power of the moustache, the hope is reduce stigma, increase awareness, improve treatment and expand the understanding of the cause.

While it may be apparent to those present in the House today who can see my freshly-shaved face, it may not be obvious to those people who are listening on the radio or reading the

Hansard transcripts that I, too, have chosen to participate in this year's campaign. My Movember account can be found at Mobro.co/darrellpasloski if anyone is interested in assisting in my efforts to raise money and awareness. However, whether or not people choose to contribute financially to that or any other Movember campaign, or to be a Mo Bro themselves, I would encourage all Yukoners to do their part in raising awareness for men's health.

Ms. White: I rise on behalf of the Official Opposition on this first of November. Today marks the start of Movember. It's that time of year when it's sometimes hard to take those around us seriously as they proudly champion of men's health. Years ago, men's health issues weren't talked about. They were kept hidden away in the dark.

The truth is that men are often known to be more indifferent toward their health when compared to women. Women proactively and publicly address their health issues in a way not traditionally seen with men. Culturally, men are taught that talking about feelings and worries makes them less manly; it's not so, Mr. Speaker. As a result of cultural biases that still exist today, the levels of awareness, understanding and funding for men's health issues, like prostate cancer, lag significantly behind other causes.

When I was younger, we never saw billboards or heard radio ads encouraging men to get tested for prostate cancer, which is the most common cancer to affect Canadian men. One in seven men will be diagnosed with this disease in their lifetime. Now, I see ads on the back of city buses. With this new comfort in discussing men's health, more men are being regularly tested. Regular testing increases the likelihood of cancer being detected at an early stage when there are more treatment options and the chance of the cure is highest.

The website for Movember describes it best: On November 1, men register at movember.com with a clean-shaven face. For the rest of the month, these selfless and generous men groom, trim and wax their way into the annals of fine moustachery. Supported by the people in their lives and their communities, participants raise funds by seeking out sponsorship for the moustache-growing efforts.

Mr. Speaker, after having spent a year in Australia, and a good portion of that time in Melbourne, I wasn't the least bit surprised to learn that movement grew its whiskers there.

Since its inception in 1999, Movember has grown to become a truly global movement, inspiring more than 1.9 million men — with the support of women — to participate with formal campaigns in at least 14 countries. As of 2011, Canada was the largest contributor to the Movember charities of any nation. No matter the country or city, Movember will continue to work to change established habits and attitudes men have about their health, to educate men about the health risks they face, and to act on that knowledge, thereby increasing the chances of early detection, diagnosis, and effective treatment. Moustache-growing men, we salute you.

Mr. Silver: Today I rise on behalf of the Liberal caucus and the Independent member to pay tribute to Movember

2012. Movember is a month-long fundraising campaign where men start November with a clean-shaven face and then grow a stylish moustache throughout the month. Movember is responsible for the sprouting of moustaches on thousands of men's faces in Canada and around the world. This moustache-growing charity event — and the men with their "Mo's" — help raise vital funds and awareness for men's health, specifically prostate cancer and male mental health initiatives.

I am pleased to be a part of the Dawson Dusters Movember team for four years now, and we've been able to raise over \$5,000 in support. You might think that I didn't stand close enough to the mirror this morning, but I can assure you that before the end of the day, I will be clean-shaven. This year, we are joining forces, actually, with Robert Cameron and his team from Nova Scotia to raise funds.

Now Cameron's team in Nova Scotia has raised tens of thousands of dollars each year, and with the Dawson Dusters adding and joining forces, we should be a competitive force to be reckoned with and hopefully come into the top fundraising honours. Last year almost a quarter of a million Canadians participated and raised \$36.6 million for Prostate Cancer Canada. This makes Canada the lead country in the global Movember movement. The amount of money raised is a tremendous boost to the fight against prostate cancer, going to research and survivorship programs. The moustache is designed to start conversations and raise awareness about prostate cancer. I am very happy to be involved in Movember with the Dawson Dusters and with Robert Cameron's team. Of all the countries in the world involved, and as a Canadian, I am very proud of Canadian men for being the leaders in fundraising and I challenge every man in this House today to shave that moustache and start again.

Speaker: I've had my moustache since I was 19 and it has never come off, but I have been a long supporter of prostate cancer research. My father was a sufferer, and in his name, I always contribute. I don't think you'll see my moustache going anywhere.

Are there any other tributes?

Introduction of visitors.

INTRODUCTION OF VISITORS

Mr. Elias: I'd like all members to join me in welcoming little Cole Robulack to the House today.

He is a student at Takhini Elementary School and no, he is not playing hooky. The school presently has a professional development day, which is probably a good idea the day after Halloween. The interesting thing about Cole is that he made a video of me in less than a minute in my office this morning, which I will share with all of the members. He is quite the film editor extraordinaire. I would ask all members to welcome him to the House today.

Applause

Speaker: I would like to introduce Conrad Tiedeman, a constituent and long-time Yukoner. He has joined us on a number of occasions. It is always a pleasure to see him. Re-

cently he put his name forward for city council. I am very proud of him for doing so, taking a step into politics. We wish him well. I remind the members here that he is watching you and he is learning from what you say and do.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Elias: I have for tabling a Vuntut Gwitchin First Nation General Assembly resolution that was passed by consensus in August 2007. I also have for tabling a letter from the Department of Health and Social Services dated May 29, 2012, regarding the Old Crow community centre closure.

I also have for tabling a letter that was hand-delivered to the Minister of Community Services on March 16, 2012 regarding the capital project of a new community recreation centre being built in Old Crow.

I also have for tabling a letter of response to myself, dated April 4, 2012, from our Member of Parliament, the Hon. Ryan Leef.

Speaker: Are there any other documents for tabling?
Are there any reports of committees?
Petitions.

PETITIONS

Petition No. 4 — response

Hon. Mr. Cathers: I rise today to respond to Petition No. 4, which was presented to this House on October 29, 2012. Petition No. 4 asked that government not repeal section 13 of the *Oil and Gas Act*. Petition No. 4 was presented by the Member for Mayo-Tatchun and was signed by six people.

The repeal of section 13, as part of the proposed amendments to the Yukon *Oil and Gas Act*, is not a decision taken lightly by this government.

Since the 1997 transfer of responsibility for oil and gas resources to Yukon from Canada, Yukon has participated in land claim negotiations in good faith. Further, we have participated in initiatives that might provide a pathway to return to the negotiating table to resolve any outstanding land claims issues. This includes continuing interim protection of those lands that negotiators had agreed could become part of comprehensive land claim and self-government agreements.

Mr. Speaker, Yukon considers provision 3.1, the first principle of the 1997 *Memorandum of Agreement*, commonly referred to as the “MOA”, to be the critically important foundation provision. MOA provision 3.1 reads: “The completion of negotiations of Settlement Agreements and self-government agreements with all Yukon First Nations and transboundary claimants continues to have the highest priority for all Parties.”

Since 2003, the three non-settled Yukon First Nations have publicly and repeatedly stated that they do not wish to complete UFA-based negotiations — UFA, of course — the *Umbrella Final Agreement*.

Therefore, one of the most critical and original circumstances that led to Yukon’s agreement to consent provisions in the MOA and section 13 of the *Oil and Gas Act* no longer exists. Yukon government has negotiated in good faith with the Liard First Nation and Ross River Dena Council for over 10 years on a consent agreement for oil and gas development in their traditional territory and has provided them funding to assist with that.

Liard First Nation recently terminated these negotiations. Without the possibility for a consent or final agreement, the repeal of section 13 is the remaining option to allow for responsible economic opportunities in the region and the resulting benefits to Yukon citizens, including citizens of the Liard First Nation and the Ross River Dena Council.

Section 13 only applies to Yukon First Nations that have not concluded final land claim agreements. Not repealing section 13 would indirectly impact the 11 Yukon First Nations that signed final agreements through unrealized royalties. To date, the Yukon First Nation share in royalties from the Kotaneelee project in southeast Yukon is \$10.46 million. Without new development, royalties from southeast Yukon projects would end. Oil and gas development improves the prospect for Yukon to benefit from increased revenues, new employment opportunities and an expanded economy. Amending the *Oil and Gas Act* at this time will bring it into law with common law and First Nation consultation and help create growth opportunities that ultimately benefit Yukoners.

The Yukon government consulted extensively on amendments to the act in 2009, and recently completed a second round of consultations with Yukon First Nations and the Kaska Dena Council. We have given extensive consideration to the views provided from both those consultations. We value First Nation relations and respect the views they provide on all issues, even when we may not agree. Rather than having three First Nations treated differently than the other 11, the removal of the veto provided under sections 13 of the *Oil and Gas Act*, non-settled First Nations will make consultation obligations the same for all 14 Yukon First Nations.

Government will continue to consult all Yukon First Nations on oil and gas activities within traditional territories, as consistent with common law and government policy. Government will respect aboriginal rights by continuing to consult on proposed oil and gas rights dispositions and any authorizations that could potentially impact First Nation rights.

These amendments will update the act to reflect the most current science and regulatory standards, bring it into line with common law and First Nation consultation, provide certainty and opportunities for economic growth, and improve opportunities for Yukon First Nations who have concluded final agreements to benefit from oil and gas activity through a share of royalties.

As a result, I can confirm today that it is the government’s intention to table amendments to the Yukon *Oil and Gas Act*, including repeal of section 13, commonly known as the consent provision.

Petition No. 5 — received

Clerk: Mr. Speaker and honourable members of the Assembly, I have had the honour to review a petition, being Petition No. 5 of the First Session of the 33rd Legislative Assembly, as presented by the Member for Mount Lorne-Southern Lakes on October 31, 2012. Petition No. 5 meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Speaker: Accordingly, I declare Petition No. 5 read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition that has been read and received within eight sitting days of its presentation. The Executive Council response to Petition No. 5 therefore shall be provided on or before Thursday, November 15, 2012.

Are there any other petitions for presentation?

Are there any bills to be introduced?

INTRODUCTION OF BILLS**Bill No. 7: Introduction and First Reading**

Hon. Mr. Pasloski: I move that Bill No. 7, entitled *Second Appropriation Act, 2012-13*, be now introduced and read a first time.

Speaker: It has been moved by the Hon. Premier that Bill No. 7, entitled *Second Appropriation Act, 2012-13*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 7 agreed to

Bill No. 51: Introduction and First Reading

Hon. Ms. Taylor: I move that Bill No. 51, entitled *Residential Landlord and Tenant Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 51, entitled *Residential Landlord and Tenant Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 51 agreed to

Bill No. 49: Introduction and First Reading

Hon. Mr. Cathers: I move that Bill No. 49, entitled *Act to Amend the Oil and Gas Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 49, entitled *Act to Amend the Oil and Gas Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 49 agreed to

Bill No. 48: Introduction and First Reading

Hon. Mr. Istchenko: I move that Bill No. 48, entitled *Act to Amend the Access to Information and Protection of Privacy Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Highways and Public Works that Bill No. 48, entitled *Act to Amend the Access to Information and Protection of Privacy Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 48 agreed to

Speaker: Are there any further bills for introduction?
Are there any notices of motion?

NOTICES OF MOTION

Ms. Moorcroft: I give notice of the following motion:

THAT this House urges the Government of Yukon to implement all of the recommendations for legislation in the action plan and recommendations document of the oil-fired appliances working group, including allowing only licensed, qualified oil burner mechanic journeypersons to install, modify, service or authorize the installation, modification or service of an oil-fired appliance.

Ms. Hanson: I give notice of the following motion:

THAT it is the opinion of this House that the Government of Canada should:

(1) meaningfully involve people who live in the north, including aboriginal peoples, scientists, policy makers and interested members of the public, when determining its agenda for the Arctic Council;

(2) consider the ideas and recommendations contained in the report entitled, *Canada as an Arctic Power: Preparing for the Canada Chairmanship of the Arctic Council*; and

(3) in collaboration with and on behalf of people who live in the north, pursue the following issues with the Arctic Council:

(a) advocating for increased participation of aboriginal people from across the circumpolar north in the Arctic Council;

(b) promoting discussion of whether others with interest in the Arctic, including emerging economic superpowers like Brazil, India and China, and groups like the International Maritime Organization, should participate in the council;

(c) developing plans to improve the socio-economic, physical and mental health of people throughout the circumpolar north; and

(d) cooperative planning for emergency management, oil spill response, critical infrastructure resilience, and a collective enforcement of regulations for new and expanded Arctic industries, such as commercial fisheries.

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

THAT this House urges all members of the Assembly to support the Minister of Community Services in her pan-northern efforts to ensure that a successor funding program to the Building Canada fund is established and that the new fund continues to address the national, regional and local infrastructure priorities and supports projects designed to deliver results in three areas of national importance:

(1) a stronger economy;

(2) a cleaner environment; and

(3) strong and prosperous communities.

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

THAT this House urges the Government of Yukon to develop an Individual Learning Centre in Dawson City, as requested by the Tr'ondëk Hwëch'in First Nation, in order to address students who are struggling at Robert Service School.

Speaker: Are there any further notices of motion?
Is there a statement by a minister?
This brings us to Question Period.

QUESTION PERIOD

Question re: *Oil and Gas Act* amendments

Mr. Tredger: In tabling the amendments to the *Oil and Gas Act* today, the Yukon Party government has told Yukoners that their opinions don't matter, and that they will plow ahead with changes to the *Oil and Gas Act* without adequate public consultation. This Yukon Party government has some explaining to do to the thousands of Yukoners concerned with oil and gas development, particularly around whether fracking should be permitted. This Yukon Party government has some explaining to do to the Yukon First Nations, whose treaty and aboriginal rights will be devalued and disrespected by these amendments.

This is a time for leadership and diplomacy, not confrontation and ultimatums. Why does the Yukon Party government feel it is above consulting and negotiating with Yukoners about their future?

Hon. Mr. Cathers: Mr. Speaker, once again the member is quite simply wrong and I remind the House — or, remind Yukoners — this is the same member who stood up consistently while the Yukon government was reviewing the application for rights in the Whitehorse Trough and told Yukoners that government had decided to issue rights, when in fact that was not the case. As I said from the day we announced we had received the request, government considered there to be three options on the table: all of the areas, some of the areas, or none of the areas. Based on what we heard from the public, we decided not to issue any of the areas. So, again, the member has a record of stating things in this House that have no connection to the facts.

I would remind the member that in fact all of the amendments to the *Oil and Gas Act*, with the sole exception of one that enables the development of regulations to enable liquefied natural gas storage, have been consulted on with the public. In 2009, there were two provisions there was some public concern with.

Those provisions were dropped from this act, but the amendments to this act are necessary to strengthen our ability to responsibly regulate the activity that is going on, including the activity currently going on in north Yukon.

Mr. Tredger: In 2009, six weeks of consultation were done. There were grave concerns raised about the removal of section 13 by the majority of the respondents. Since those six weeks in 2009, the landscape has changed. In 2009, Yukon First Nations called on this government for further consultation with them on changes to the *Oil and Gas Act*, particularly sec-

tion 13, but in tabling the amendments, this Yukon Party government, with their colonial attitude is saying, "We know best, and your opinions don't count."

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Cathers: A member accusing members of a colonial attitude is certainly contrary to the practice of this House or Standing Orders in imputing a motive toward a member, and certainly could be interpreted as accusing another member of demonstrating a bias against an identifiable group of people, which you ruled out of order earlier this week.

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

Mr. Tredger: When somebody chooses confrontation over collaboration, it becomes a dispute between members.

Speaker's ruling

Speaker: Yesterday I gave a ruling on the use of particular language directed toward the members of the House, attributing to a member of this House an unworthy motive — specifically a bias against an identified group of people. This is the same thing that I ruled on yesterday. Within the ruling, I also mentioned that members are to treat one another as honourable. Accusations or inferences that members' intentions are not honourable are not appreciated and are definitely not parliamentary.

Mr. Tredger: I'll withdraw my comment.

Speaker: Thank you. The Member for Mayo-Tatchun has the floor.

Mr. Tredger: By tabling the amendments, this Yukon Party government is saying, "We know best and your opinions don't count." This is a dangerous fight to pick and a confrontational position with the Kaska, who have the support of the Council of Yukon First Nations, will damage relationships with First Nations, creating economic uncertainty, and could lead to a lengthy court battle.

Why does the Yukon Party government —

Speaker: Order. The member's time has elapsed. There was 20 seconds left to get to question.

Hon. Mr. Cathers: Once again, the NDP simply has it wrong, and I would remind this House again that the NDP has a record in the spring of standing up, day after day, telling the public that government had reached a decision on the request for oil and gas rights in the Whitehorse Trough when, in fact, not only was that not the case, but the NDP's assertions bore no resemblance to the facts, and this was in —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Takhini-Kopper King, on a point of order.

Ms. White: 19(g) — "imputes false or unavowed motives to another member" — that is neither what we said nor

what we insinuated. That was the concern of the people, and we were merely reflecting it.

Speaker's ruling

Speaker: Order please. The interpretation of the facts is not a concern of the Speaker. Each member is entitled to interpret the facts in their own view. It's the presentation of the interpretation that concerns the Chair. Present them in a respectful manner and there will be no problem, and I will not rule on what is correct or incorrect within the facts.

When there is a point of order, Question Period is interrupted. Time is added for the point of order and my rulings, but no time will be added to the question or the response when they're interrupted by the point of order. Is that understood by everyone? Thank you.

The Minister of Energy, Mines and Resources has 62 seconds left.

Hon. Mr. Cathers: Again, what I would point out is the NDP is consistently making assertions in this House that are inaccurate, including the ones they are making today.

This government has consistently made efforts over the past decade to reach a consent agreement with the Liard First Nation and has provided them with millions of dollars in taxpayers' money to assist their participation in those agreements. Consultants have done very well from that, lawyers have done very well from that — employed by the First Nation, that is. Again, when the First Nation informed us earlier this year that they were withdrawing from those discussions, we believed we had to act in the interest of all Yukon citizens, including citizens of the Liard First Nation and Ross River Dena Council by standardizing the requirements so that all First Nations are treated equally under the Yukon *Oil and Gas Act*.

We will continue to follow our common-law obligation to consult with First Nations on potential oil and gas activity and to consider their opinion, but three First Nations should not receive veto power while the other 11 have the standard common-law consultation requirement.

Mr. Tredger: The member opposite may hurl his accusations and blame the NDP for the polarization all he wants, but in actuality, it is the lack of consultation and the lack of information that leads to concerns that the Yukon people are presenting. By their actions, this government is showing that it thinks it knows better than the Yukon people. They have turned their back on democracy, cooperation and collaboration. Their plan will be imposed on the Yukon and the cornerstone of this plan is the development of shale gas through fracking in the Liard Basin.

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Cathers: Mr. Speaker, the member is imputing motives to another member. He is asserting that government has a plan, which is contrary to the facts, and the member should know that by now.

Some Hon. Member: (Inaudible)

Speaker: Order. If the member wishes to be heard, he will wait until he is recognized.

Some Hon. Member: (Inaudible)

Speaker: Again, members are to wait until they are introduced.

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

Mr. Tredger: I believe there is no point of order. It is a dispute between members.

Speaker's ruling

Speaker: I have to agree that it is a dispute between members, but the tempers are starting to rise, and as I've said in the past, I expect members to be impassioned but honourable and respectful of each other.

The Member for Mayo-Tatchun has 16 seconds.

Mr. Tredger: Industry, and not the Yukon people, is calling the tune and this government is happy to oblige. The Liard oil and gas basin is where oil and gas companies want to develop shale gas by fracking. Why is this government so afraid to consult on the issue of oil and gas development with the Yukon public and to negotiate in good faith with the Kaska? Now is the time for leadership and diplomacy, not —

Speaker: Order please. Hon. Premier.

Hon. Mr. Pasloski: Thank you. In fact, the results of the consultation have been on-line for over three years now. If the members opposite actually want to look at the proposed amendments to this piece of legislation, they won't see anything regarding fracking at all in that legislation.

Mr. Speaker, all Yukoners own Yukon resources. As the Minister of Energy, Mines and Resources has already articulated on many occasions — and again today — the MOA in section 13 was put in on the assumption that all First Nations would sign land claims and modern-day treaties. That is not the case. The First Nations have categorically stated that they are not willing to do so. This is about treating all First Nations equally.

We continue to hold lands set aside in the event that, in the future, these First Nations may, in fact, go through the process of creating a modern-day treaty and a land claims settlement. The Yukon, and particularly Watson Lake, wants economic opportunities. They want opportunities for their children in terms of jobs, businesses, and training opportunities. The Yukon self-governing First Nations have received over \$10.5 million in royalties from the Kotaneelee area, and we're very proud to be —

Speaker: Order please. The member's time has elapsed.

Question re: Oil-fired appliances

Ms. Moorcroft: Last week the government announced its vague plan to take action on the issue of oil-fired appliance safety someday. However, the minister neglected to mention that they are rejecting one of the key recommendations of the oil-fired appliances working group. Specifically, they are refusing to require people who service oil-fired appliances to be licensed journeyman oil-burner mechanics.

This move will leave Yukoners at risk of another avoidable tragedy like the one in Porter Creek almost 10 months ago. Will the minister explain this rejection of the Oil Fired Appliances Advisory Committee's recommendation that will leave Yukoners at risk?

Hon. Ms. Taylor: I would just like to point out that the Government of Yukon is moving forward on a number of regulatory and legislative changes when it comes to public awareness, training initiatives. Of course, when it comes to the installation/ modification of oil-fired appliances, there will be a change that will require all building permits for those specific moves to be issued to certified journeyman oil-burner mechanics. The second change that we will be moving forward on is requiring the installation of carbon monoxide detectors and smoke alarms in all Yukon residences, which includes all rental units.

We are moving on those specific changes. We are looking to put forth changes to existing statutes that could precipitate changes to regulations as well. These are as a result of the report that was put forward by the working group and the direct input that we heard in the communities of Ross River, Carmacks, Pelly Crossing, Watson Lake, Teslin and Faro.

I know that the minister responsible for the Yukon Housing Corporation also heard directly from the citizens of rural Yukon. When it comes to servicing, of course, the message for us that we need to hear loud and clear is to build capacity when it comes to certified mechanics.

Ms. Moorcroft: We acknowledge that requiring a certified oil-burner mechanic for new appliance installations or modifications, requiring carbon monoxide and smoke detectors in all homes and the proposed education and training initiatives are good things. However, they are simply not good enough.

Instead of finding a creative solution to the challenge of getting licensed oil-burner mechanics to rural communities, the government is taking the easy way out by lowering the safety standards for all Yukoners. Yukon people want and deserve to be safe in their homes. The minister says she cares; yet she is not willing to implement all of the working group's recommendations.

Will the minister reverse this short-sighted decision and require the licensing of oil-burner service mechanics whenever this long-overdue legislation is introduced?

Hon. Mr. Kent: As my colleague mentioned, I also led a number of tours of rural Yukon, joined by the MLA for Pelly-Nisutlin, the MLA for Watson Lake and the MLA for Kluane, who also accompanied me to his riding.

What we heard loud and clear from rural Yukoners, including a former NDP MLA from Old Crow and a former NDP candidate from Haines Junction, is that the capacity does not exist in rural Yukon at this point to accept that recommendation, to have the servicing or maintenance of oil-fired burning appliances conducted by certified members. But what we are doing is building capacity. Yukon College will offer level A oil-burner mechanic training between May and July of 2013. Apprentices who cannot attend during this time or who need level B training will take their training at the University of

Guelph. Of course, there is financial assistance available to those students.

So we're responding to what we heard in rural Yukon. I know the Member for Mount Lorne-Southern Lakes was able to attend the meetings in Carcross, but had he been able to attend the meetings in Tagish, he would have heard from his constituents very similar things to what I mentioned on the floor of this House.

Ms. Moorcroft: The government needs to respond to the challenge of providing the training, not just for people in Whitehorse, but in rural communities. It's very clear that Yukoners can't count on this government to do the right thing when it comes to the safety of oil-fired appliances.

A 2010 report prepared for the Yukon government found that 94 percent of existing oil-fired appliances that were examined had at least one significant code infraction. The minister needs to do the right thing, looking forward, and isn't. So let's look back to these documented problems. What, if anything, has the minister done through her department — Community Services — and with the City of Whitehorse to ensure that these furnace installations that aren't up to code will be fixed, or has nothing been done on that?

Hon. Ms. Taylor: Well, that is, in fact, what we are doing. We're working with municipalities. We're working with First Nation governments. We're working with the citizens throughout every single community in the territory to advance safety when it comes to oil-fired appliances. That is, in fact, why the minister responsible for the Yukon Housing Corporation and I as the Minister of Community Services, toured the entire territory, met with the citizens in every single rural community and heard directly from the citizens themselves. Had the member opposite had the opportunity to actually participate in each of our public meetings in the communities of Faro, Ross River, Carmacks, Watson Lake, Teslin and Old Crow, she would have heard directly from the citizens — we need to do our work in terms of getting trained-up capacity when it comes to oil-fired appliance mechanics. That is, in fact, what this government is doing. Beyond that, this government is also going to work on coming up with legislation — for the first time in the country's history — to actually implement rules that every Yukon household, including rental units, will have smoke alarms and will have carbon monoxide detectors for the safety of our families.

We'll also go to work to ensure that every building permit has ensured that the installation and modification of these appliances are performed only by certified oil-burner mechanics.

Question re: Dawson City land development

Mr. Silver: Mr. Speaker, one of the most pressing issues in the community of Dawson is housing and a lack of available lots within the municipality. The recent municipal election in Dawson brought a new mayor forward and a new council, and I am confident that solving this problem is high on their list of priorities. But addressing this serious issue requires private developers and all governments to play a role.

What steps is the government taking to play its part in ensuring that Dawson has the resources and help it requires to develop these much-needed lots?

Hon. Ms. Taylor: Mr. Speaker, I would like to thank the member opposite for raising the question. It's a question that is near and dear to the hearts of all Yukoners in every single community and that's in fact why this Government of Yukon has allocated almost \$35 million in support of land development initiatives throughout the territory.

One of the first things that I did upon the election of the new Mayor of the City of Dawson was I was able to congratulate that particular member by phone and to discuss with him the availability of land within the City of Dawson and its periphery. We certainly respect the official community plan of Dawsonites and will work toward developing a land development protocol to identify land development that is of specific value and a priority to the citizens of Dawson.

So yes, the Government of Yukon is very much committed to working with Dawsonites.

Mr. Silver: Several years ago — and the minister touched on this in her reply — the Government of Yukon entered into a land development protocol agreement with the City of Whitehorse. This is something the new mayor in Dawson is already advocating for. An agreement like this would be very useful for a town with limited land development capacities, like Dawson. Given the shortage of lots and the challenging situation, it makes sense for the Government of Yukon to provide the City of Dawson with assistance that respects each level of the government's roles to bring resources to this problem.

Would the government entertain a specific date for a commitment to this land development protocol agreement the minister speaks of?

Hon. Ms. Taylor: As you can very much appreciate, Mr. Speaker, the new mayor and council was just elected a few short days ago. I appreciate that it is a relatively new council with some returning members. So out of respect for the duly elected mayor and council, we will wait to hear from the council on that and on a number of other issues of importance to the community of Dawson.

Yes, this is something that we have advocated for some time, certainly during my tenure as Minister of Community Services: implementing land development protocols — not just with the City of Dawson, but also with the City of Whitehorse, which we've had in place for a number of years. It has been a very effective tool when it comes to providing that clarity in roles and responsibilities in land development, and we look forward to working with all other communities in advancing this issue of importance.

Mr. Silver: This is great news. The City of Dawson has land of its own that it wants to develop, and the Government of Yukon is also a major landholder within the municipal boundaries. Yukon Housing Corporation, for example, is currently sitting on eight vacant lots alone. I'm sure that the government owns other parcels as well.

The need for lots is real, and the need is now. There is a couple in Dawson, actually, who are building a home outside of town right now, waiting for a lot to become available in town so they can move it into the municipality. That's what it has come to: we actually have a lineup of houses trying to move into the municipality, waiting for lots.

Will the government hand these eight lots over to the town as part of a protocol agreement, or does it have plans to build on these lots itself?

Hon. Ms. Taylor: The Government of Yukon is very much aware of the land pressures developing in Dawson and we have been working with the City of Dawson and will continue to work with them, as well as the Tr'ondëk Hwëch'in First Nation, on identifying parcels of land for development through the official community plan and through the development of a land development protocol.

I would like to draw to the member's attention that 13 residential lots were made available back in 2011 and I understand another four were released by Yukon Housing Corporation, also in 2011. We are doing our part. We also have a number of properties available in the Callison subdivision that are made available for commercial use. We look forward to expanding upon those currently available lots.

Question re: Old Crow recreation centre

Mr. Elias: The other day in this House, the Minister of Health and Social Services said, "The only way that we as a territory are going to be able to reduce the cost of health care in the territory is for our young people to become healthier and to have less need for the health care system." I agree wholeheartedly.

There is a problem with this in Old Crow, however. As I described yesterday, we don't have recreational facilities available for our young people.

As I described yesterday, we don't have recreational facilities available for our young people. I am sure the minister would agree with her Cabinet colleague that a moderate investment today in the promotion of healthy lifestyle choices in Old Crow is more cost-effective than waiting for the significantly larger health care cost that will inevitably result from less active, less healthy lifestyles.

With that in mind, will the Minister of Community Services commit to being Old Crow's champion in the Yukon government caucus and help us build a community recreation centre?

Hon. Ms. Taylor: I'd like to thank the member opposite for his question. As I reiterated yesterday, I believe it was, on the floor of the Legislature, the Government of Yukon will continue to work with the citizens of the community of Old Crow and will continue to work with the Vuntut Gwitchin government on identifying issues of importance, one of which includes recreation.

We have made a number of investments when it comes to sport and recreation over the years, in terms of improvements to existing recreational facilities and programs, and we'll continue to work with the Vuntut Gwitchin government on this. As I referenced, however, there are a number of steps that need to come into play, one of which is an intergovernmental accord. I know there was an expressed interest conveyed by the Vuntut Gwitchin government, and we look forward to advancing those priorities.

Mr. Elias: Once the Minister of Community Services agrees to be our champion, she would be joining good company. Our territory's Member of Parliament has committed to

being the federal champion of Old Crow's community recreation centre. I hand-delivered the same letter that elicited Mr. Leef's support to the Community Services minister on March 16 of this year. Seven months have passed and I haven't even received the courtesy of a reply. A multiplex in Old Crow would help combat diabetes and obesity and provide youth with a supportive environment that promotes healthy lifestyle choices. It would offer safe, early childhood education facilities and a modern community kitchen.

Will the minister join the Yukon's Member of Parliament, the Government of the Vuntut Gwitchin, our private business partners and the citizens of Old Crow by committing firm financial support to help build a community recreation complex in the community of Old Crow?

Hon. Ms. Taylor: Mr. Speaker, the Yukon government, in collaboration with the Government of Canada, has actually invested well in excess of \$200 million in support of a number of community infrastructure priorities, including drinking water upgrades, waste-water treatment, road improvements, solid waste, recreation, tourism and culture — and the list goes on.

This year alone, the Department of Community Services is investing approximately \$5 million in support of community infrastructure upgrades within the community of Old Crow. We'll continue to work with the citizens of Old Crow and I'm glad that the member opposite did raise the issue of federal funding streams, because I would just like to point out that federal funding streams, such as the municipal rural infrastructure fund and the Canada strategic infrastructure fund, have all run their course. In fact, in the case of Building Canada, we are awaiting the news whether a similar program will in fact be announced with a comparable mandate.

So we are in fact advancing that cause; we're going to work with our Member of Parliament, our Yukon senator and we are going to work with the governments of Northwest Territories and Nunavut to ensure that we do have a subsequent community infrastructure fund, such as Building Canada, and that recreation does stand prominently within those planks.

Mr. Elias: Old Crow's 28-year-old community hall was condemned for public use this year. The community has demonstrated a need and commitment to building a multiplex with over a decade of planning and hard work. \$240,000 has been contributed by the citizens of Old Crow and not one penny of that came from government. That's phenomenal.

Even more impressive is the millions of dollars that the community has set aside as it awaits public government to pitch in and make this project a reality. That's phenomenal, Mr. Speaker. This proposed centre is a winner for everyone. It will improve the quality of life in Old Crow — that's the first pillar of the Yukon Party government. It will reduce future health care costs in the most remote region of our territory.

What is the minister responsible prepared to do to help the community of Old Crow build a community recreation centre and contribute to a healthy and vibrant northern community in this territory?

Hon. Ms. Taylor: This Minister of Community Services will continue to go to work with the Government of Can-

ada, the Northwest Territories, Nunavut, and all jurisdictions in the country to advance federal infrastructure programs, such as the continuation of the Building Canada program. These are programs we have been able to leverage in collaboration with many other governments throughout the territory over the course of the last 10 years.

When the member opposite says it's a pity — it's a pity that the member opposite has refused to recognize the substantive investments that the Government of Yukon has invested in Old Crow's infrastructure for sport and recreation, for roads, for solid waste and safe water supply. Again, we are committed — let me be very clear on this — to continuing to work with Old Crow to ensure that youth and adults in the community have many opportunities to participate in an active and healthy lifestyle.

We are very much committed to working with not only the community of Old Crow, but also the communities of Carcross, Dawson City and Haines Junction — all of which have also advocated for improvements to recreation.

Question re: Health care services

Ms. Hanson: Under the Yukon Party, costs for health services have gone up 47 percent over the last five years. Due to the lack of options, patients' dependence on the emergency departments and hospitalization has gone up. Yukoners suffer from poor planning for the full continuum of their health care needs. The minister cannot be happy with the 47-percent increase in costs over the last five years.

Mr. Speaker, how will the minister lead our health care system toward more sustainable patient-centered ways of delivering services?

Hon. Mr. Graham: Given the short time frame that I have to answer this question, perhaps I'll just begin by saying we've recently signed a new agreement with the Yukon Medical Association. In that agreement, we have instituted a number of changes in practice that will happen over the next little while, the first of which is collaborative care. I'm sure that's one of the subsequent questions that will come up. We have worked out a number of details around collaborative care practice, but we're also beginning things such as the wellness initiative. The wellness initiative is a long-term process that we hope will improve the lives of all Yukoners, thereby, in the longer term, improving not only the health but the well-being and the attitudes of all Yukon people.

Ms. Hanson: Mr. Speaker, the minister is right; the Yukon NDP has applauded the minister, joining the voices of Yukoners who have been calling for a number of years for a different model of care: collaborative care. The minister is now echoing that call; we're pleased with that. But the Yukon NDP knows there is ample evidence that team-based delivery of health care services is better for patients because patients are getting the care and support they need. Patients spend less time in emergency; they spend fewer nights in hospital; they manage their chronic conditions at home.

The Yukon NDP knows that patients' experience and their consistent relationship with their health care system need to be at the centre of a sustainable health care system. The minister did not answer my question the other day so I'll try again: Will

the minister commit to inclusion of patient groups in the design of collaborative health care delivery for Yukon?

Hon. Mr. Graham: Mr. Speaker, we always consult with as many possible sources as we can. We just did that with the nurse practitioner regulations and I heard the opposition stand up and tell me that it took much too long.

You know, we have a number of things here that we are doing. We will collaborate, not only with the public, but with physicians, nurse practitioners and other medical practitioners in the territory because these collaborative care clinics that we intend to see go ahead don't only include the physicians and nursing staff, but they include dietitians, physiotherapists, pharmacists and any number of medical practitioners.

Ms. Hanson: I am pleased to hear the minister expand the circle of who will be included because in explaining the collaborative care initiative to this point, he said the doctors will lead this initiative. This is a classic fallback to expensive physician and hospital-based services that are driving our health care costs so high. Evidence shows that great results for patients and great system efficiencies come from great teamwork.

Patients need more than doctors and the collaborative team needs more than doctors as well. Will the minister show real health care leadership and commit today to open a truly team-based and patient-centred collaborative care clinic in the Yukon?

Hon. Mr. Graham: Goodness, Mr. Speaker, I didn't realize the Leader of the Official Opposition didn't like doctors that much. I have to tell you that we are attempting to do other things as well. When we talk about the increase in health care in the territory, we also have to realize that the population of the territory has increased. We have begun new initiatives, such as home care for seniors, to keep seniors in their homes longer and to assist them so they don't have to take advantage of the acute care system.

We have established an active living strategy and, with any luck, I understand the minister responsible will be bringing forward an expansion of that program as well.

So we are doing a number of things — we are talking to people; we are trying to work these processes through, and we will meet with any professionals. I met with the doctors and the nurses together in the same room — I think, for the first time in many, many years, and that brought to me some interesting insights. We'll continue to do that. We have a number of issues that we are still facing with the nurse practitioner regulations, and we'll be consulting with specialists, both in the territory and people who come to the territory. So yes, we consult with whomever is interested in consulting with us. It takes a little longer, but we are bound to make it happen.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 50: Statute Law Amendment (Nurse Practitioners) Act — Second Reading

Clerk: Second reading, Bill No. 50, standing in the name of the Hon. Mr. Graham.

Hon. Mr. Graham: I move that Bill No. 50, entitled *Statute Law Amendment (Nurse Practitioners) Act* be now read a second time.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 50, entitled *Statute Law Amendment (Nurse Practitioners) Act*, be now read a second time.

Hon. Mr. Graham: I'm pleased to bring forward this *Statute Law Amendment (Nurse Practitioners) Act* for 2012, which is a direct result of the amendments that were made to the *Registered Nurses Profession Act* and the newly developed supporting regulation. Together with the regulations and the changes, this legislative framework establishes the scope of practice for nurse practitioners in Yukon. As part of this, a number of consequential amendments are required to a number of pieces of legislation to enable nurse practitioners to work to their full scope of practice.

This bill captures those changes. I'd like to start out by acknowledging the hard work and commitment of the Yukon Registered Nurses Association. As a self-regulating profession, their dedication to the development of the nursing regulations that will introduce new nurse practitioners to the Yukon is commendable. Back in 2009, this Legislature supported the introduction of nurse practitioners in Yukon by assenting to amendments to the *Registered Nurses Profession Act*. Since that time, the YRNA has demonstrated a strong commitment to developing a regulation that will modernize the existing nursing profession regulation and support the introduction of nurse practitioners to Yukon. That regulation is in the final stages of approval and is expected to be in place in the very near future.

Consultation on this regulation engaged other governments, health professions and individuals. The comments received from these consultations were largely positive and supportive. In addition, we have worked collaboratively with stakeholders and health care professionals finalizing this regulation. Our government is pleased to be making strides forward; nurse practitioners work in every jurisdiction in Canada and will now work in Yukon. Nurse practitioners are primary health care professionals for many Canadians. In fact, nurse practitioner use has more than doubled in Canada over the last five years.

Nurse practitioners will provide increased health care options for Yukoners. Regulating this profession enhances our ability to recruit and attract another source of health care professional. With their advanced education and skills, nurse practitioners have the ability to diagnose, order tests, prescribe drugs and treatment, and perform other authorized procedures within their scope of practice. This makes them a valued addition to the Yukon health care system, as they provide a role that

increases access to health care, complements the system and contributes to successful patient outcomes. Yukon government is pleased to say we have already added a nurse practitioner to our programming in Copper Ridge Place and the individual will work as a registered nurse until such time as the final approval of the regulation is in place.

We've been doing advanced work to prepare for nurse practitioners becoming a part of Yukon's health care system. We have a number of stakeholder committees in place, designed to support this new role. Areas of focus include communications; identification of changes needed in the systems and processes, and work in several other areas as well. Our implementation working group, co-chaired between the Yukon Registered Nurses Association and the department, has representatives from the Yukon Hospital Corporation, Kwanlin Dun First Nation, Yukon Medical Association and key areas of the Health and Social Services department. This working group's mandate is to support the integration of nurse practitioners into Yukon's health care system. This group also provides a forum to share opportunities regarding nurse practitioner practice. It is designed to support ongoing communications and coordination between agencies and identify mechanisms to enable nurse practitioner practice.

These amendments before you today were identified through the work of the Yukon Registered Nurses Association, which confirmed that the provisions were in scope of practice for nurse practitioners and by the departments responsible for the legislation that approved the provisions after considering policy implications. These consequential amendments recognize the nurse practitioner's role in the delivery of Yukon's health care system. They remove barriers and restrictions experienced when legislation is not comprehensively addressed to reflect the scope of practice and competencies of nurse practitioners. They also support designing health service delivery models that encourage health care providers to work collaboratively and to their full scope of practice.

These consequential amendments will help to optimize services for Yukoners. The use of nurse practitioners will help increase and improve access to health care and provide more flexibility in health care options for all Yukoners. They will also remove the potential for duplication of health care provisions in the territory. While most amendments are being brought in now, some amendments will be phased in in the future, pending some additional policy work, discussion and/or evolution of the nurse practitioner role in the Yukon. As an example, while nurse practitioners can now admit and discharge patients to and from hospitals in Ontario and, more recently, in British Columbia, the Yukon will require further policy work and development of specific roles and procedures in order to move forward in this area.

We will continue to carry out negotiations with the Yukon Hospital Corporation and the affiliated medical community at the Whitehorse General Hospital to ensure that when we bring forward this amendment everything will be in place for the nurse practitioners to move seamlessly into this part of their profession.

We also expect to come forward with further amendments to the Workers' Compensation Health and Safety Board to be able to qualify injured workers for medical benefits through the workers' compensation policy. This will take some time to go through too. It will also require some changes to that legislation. I know the minister in charge will be very amenable to those changes being made, so we can hope that that will be done in the very near future as well.

We also are working on some changes that will enable nurse practitioners to refer patients to specialists. This issue is quite sensitive in some areas, and we believe it will take some time and discussions with specialists, both residing in the territory and entering the territory from other provinces, before we work out a system and protocols necessary to allow nurse practitioners to make referrals to specialists.

So, to summarize, the consequential amendments brought forward here today to change Yukon-wide legislation will legally recognize this health care profession in the Yukon. It will allow nurse practitioners to carry out health services authorized by these pieces of legislation. It will integrate nurse practitioners into the Yukon health care system.

Mr. Speaker, I also feel I should perhaps speak for a short while about the collaborative care model that was just recently brought up in Question Period, because we recently negotiated an agreement with the Yukon Medical Association that addresses the issue of collaborative care. Both parties agreed during those negotiations that within one month of the ratification of the agreement by both parties, both sides will sit down to begin looking at collaborative care practice in the Yukon. Physicians, as they are independent businesses, have not unilaterally agreed to set up collaborative care practices, but as a group they have agreed that this is a model worth considering and that they are very willing to sit down and discuss how to proceed from this point on.

Representatives from both the Department of Health and Social Services and the Yukon medical community will make up the family physician working group that will look to create processes to establish multi-disciplinary care, including the role of nurse practitioners within family practice in the territory.

It will also look at procedures where physicians may choose to participate in collaborative care and the objectives and requirements for those physicians who wish to participate. There are other details around the collaborative care practice that will be examined, including how to facilitate access of patients to primary care and to specialists and how individuals who participate in these models, such as physicians and nurse practitioners, will be compensated because currently there is no provision under our act.

The agreement also includes funding to support collaborative care initiatives that will begin in the Yukon over the next little while. As with any other initiatives that we attempt, support for this model varies. Some physicians are very supportive and we anticipate that they will be the ones stepping forward to establish this kind of practice. Others may not be as enthusiastic and that's fine. We need all models of care here in the territory. We do not expect that all of them will embrace the concept, but we hope that enough will embrace the concept to

make this a viable option for increasing access to medical care for all Yukoners.

That concludes my remarks, except I would really like to acknowledge the hard work of the Yukon Registered Nurses Association in making nurse practitioners a reality, and we're very pleased to be bringing forward these changes to the House this afternoon.

Ms. Hanson: I would like to also thank the minister for bringing forward Bill No. 50, *Statute Law Amendment (Nurse Practitioners) Act*. I thank both the minister and his staff for the work that has been done in preparation for introducing these amendments.

This morning we had the opportunity to have a very professional and comprehensive review of these proposed amendments and I commend the minister for his direction to his staff. He has obviously got very competent staff who can carry these things out, but it comes from the ministerial direction that talks about how you do this and ensuring that the members of the Legislature who have this responsibility to be informed have the opportunity to be well informed.

I do thank the minister and his officials for the briefing and for the notes, the annotations that were provided, because when we look at the legislation, we all know it was passed in this Legislature in December of 2009, as the minister commented. There was a lot of work — highs and lows over the last three years — in terms of moving toward getting both the amendments that are necessary to other pieces of territorial legislation so that nurse practitioners and their roles will be fully interwoven within the whole legislative framework of this territory, as well as the work that's necessary to be done on regulations.

So we are without question pleased to see the government and this minister moving forward on implementing and putting into practice the nurse practitioner — both the legislation that will enable nurse practitioners to then be recognized and to practice in this territory because, as the minister said — and we recognize that the delays have not been without cost — the costs have been the exodus of some very highly skilled nurse practitioners from this territory, which will then in turn put a new onus on the Minister of Health and Social Services to begin to focus on recruitment and retention — recruitment of skilled nurse practitioners. The fact of the matter is that these nurses are highly sought after because they bring so much to the whole redefinition of our health care delivery system.

I am so pleased to see this minister actually taking seriously and using the language of collaborative care, because that's his number one duty under the Yukon *Health Act*. The first responsibility of the minister, according to that act, is collaborative health planning. So that means seriously taking the challenge of what we have as a first part of health care in Canada. If we go back to what Tommy Douglas said, the big challenge was to get a publicly insured health care system. People fought against it — the medical practitioners fought against it; they went on strike. Don't ever forget that. They got a publicly paid for health care insurance system.

The second part of the health care planning and the implementation of collaborative health care has always fallen to

the side because the emphasis has been on building acute care hospitals and physician-based health care. So the nurse practitioners model has been embraced across this country, and we have clinics across this country where they are working effectively. It's not only where the doctors have been welcoming that they have been successful. They have been successful where they have not been welcoming. They have been successful where nurse practitioners and primary health care clinics have established independent nurse practitioner clinics.

We are really pleased to see that this legislation before the House is a supporting piece of legislation. As the minister's staff pointed out this morning, and as we counted as we tried to go through it ourselves — and we were so pleased to have them set it out in a more comprehensible manner — 11 pieces of legislation.

It does indicate some of the scope of practice that Yukoners may see nurse practitioners working in. We recognize that there is still some work to be done, but it does say — and I think this is important to point out — that acts that I would not have thought of as being necessary to have amendments in order to give effect to this — we'll now see nurse practitioners being part of the definition of "health care providers" so that they can be part of the *Care Consent Act* so that they can assist people, just as doctors and registered nurses do — perform services in areas such as providing certificates of financial protection and managing health care decisions that people need to make.

They will be involved in the *Corrections Act* — the young offenders portion of that. Not only doctors, but nurse practitioners can be involved in terms of requiring a superintendent under that act to act on the advice — not just take, but act on the advice — from nurse practitioners.

It goes on to the *Marriage Act*, *Motor Vehicles Act*, *Vital Statistics Act*. This is an important piece of work that has been done here. We do expect to see reference to nurse practitioners in more Yukon laws in a short order. We're pleased with that.

This is all grounded in this notion of nurse practitioners and collaborative care. This was a resounding theme that came out of the 2008 *Yukon Health Care Review*, as well as the 2009 follow-up, which was *Taking the Pulse*, which was listening to what Yukoners had to say about the health care review. In that 2008 *Yukon Health Care Review* there were 10 pathways identified to change and to improve the sustainability of our health care system. As I mentioned earlier in the Legislature, one of the big challenges that was identified in that health care review was the whole issue of the financial trajectory of health care expenditures. We have seen a 47-percent increase — we can't avoid that. We have seen a 47-percent increase following the current acute care model that we follow in this territory.

Hopefully, over the next five to 10 years, we'll see a shifting away from that kind of a trajectory in terms of health care expenditures. There are other matters that we need to turn our minds to. One of the other recommendations, or pathway 6 — it was all done in that kind of a structure in the health care review — that series of recommendations made the point that had to do with the institutional governance structures. By that, they meant the kinds of roles and responsibilities that, prior to 2009

were carried out by the Yukon Hospital Corporation. The point was made at that point in the health care review — and the stated objective of the Yukon Party government, as they did the health care review and as they did the follow-up, *Taking the Pulse*, was that the recommendations from that health care review would come back to this Legislative Assembly for debate before any decisions were taken. Unfortunately, the decision was taken by the government of the day that, contrary to pathway 6, which said that, “Changes in institutional governance structures should only be considered if it is determined to be highly likely that the change will lead to both an improvement in the alignment in the delivery of health care services, and improved cost efficiency and effectiveness in the service delivery”, what we saw in the spring of that year was a decision that took everybody aback — took the Yukon Medical Association aback — which was the decision to transfer the governance of the hospital from Health to the Hospital Corporation.

So now we’re seeing the hospital in Watson Lake and the hospital in Dawson both behind schedule and over budget. Those are costs that will be ultimately borne by the taxpayers, so there’s a challenge that we will be facing as we look at going forward, looking at the recommendations that were pulled together as a result of extensive consultation throughout this territory.

As we know from all the research across this country and, indeed, around the world, acute care hospital care is the most expensive way of going in terms of health care. We will need to look at that. As the minister spoke about collaborative care — and the word that I used when I asked him the question about being inclusive in the context of developing a collaborative care model — is ensuring that Yukoners are involved in the broad discussion about what the Yukon Hospital Corporation may or may not be thinking about as it is planning its next 20 years of health care delivery through the Hospital Corporation.

Stakeholders, including the public, must be involved in that discussion, and it’s the minister’s responsibility to direct health services, not the hospital.

It is the minister who is ultimately accountable to all taxpayers, to this Legislative Assembly, for the health care systems in this territory, not the Yukon Hospital Corporation. They go through him to the public.

I’m pleased to hear him talking about this collaborative care. We’re going to be exploring it with him further and further, because the more you peel back this onion, the more you realize how much there is to it. I will be looking forward to hearing from the minister that the Yukon Registered Nurses Association is at the table as the collaborative care practices in the Yukon family physician working group are being established. I assume the YRNA will be but I look for his confirmation over the coming days that that is, in fact, the truth.

Of course, we support the nurse practitioners legislation. It’s not the only piece of health care-related legislation that needs urgent attention. We’ve had conversations, and I’m sure the minister has as well. I’ve heard him mention this morning — although he often disputes whether or not you can believe anything on the media, I do think that I should be able to be-

lieve that I did hear the words he used here this morning in his voice. He referred to midwives, and there is certainly an important role for midwives and registration and licensing of midwives in this territory.

We look forward to that conversation and to the work necessary. Again, we have many skilled people who have left this territory, taxpayers who tried to work out of here but have to practise elsewhere because they cannot legally work as a midwife.

Also the pharmacy legislation, as the minister well knows and as the Minister of Finance and Premier well know, is so far out of date as to be dangerous. The people who work here cannot work to their full scope of practice under our dated legislation. We know that this is an important step so we need now to move on making sure that the outdated legislation that is out there and is preventing health care workers from providing the best care that Yukoners need and deserve, is also paid attention to. However, we are looking forward to moving quickly to get this business of the day through so that we can move on to other important matters.

Hon. Mr. Istchenko: I am also glad to be able to speak in the Legislature today on this amendment to the nurse practitioners act. I have a little different perspective. I am from a rural community; we don’t have a doctor; we don’t have a hospital. I’ve had the opportunity to sit in this fall sitting and listen to Question Period, listen to the questions and listen to the answers. A lot of them have been about doctors and communities. Well, we don’t have a doctor in our community, but then again if you get sick we have a doctor who comes out every Tuesday — every second Tuesday — and if you’re lucky to get an appointment, which is usually a month to two months behind, you’ll get in.

Looking at the new nurse practitioners act, I look forward to the vision that my colleague, the Minister of Health and Social Services, and this government has for health care in the Yukon, bringing things forward, better opportunities for rural Yukoners, so people who live in Beaver Creek or Destruction Bay may have to only drive to Haines Junction to see a nurse practitioner rather than have to go all the way to Whitehorse.

This is very welcome and I thank the minister for his vision for health care in the Yukon. I believe all Yukoners should be very proud of this government and our minister, so I thank you for giving me the opportunity to speak.

Mr. Silver: I’ll keep this brief, but we will be supporting this bill. It’s more housekeeping to allow nurse practitioners to be licensed in the Yukon. We have the dubious distinction of being the last jurisdiction in Canada to allow this to happen. The Yukon Party government has been working on this file for 10 years now, so it’s nice to see that there’s some forward progress.

In 2009, the Yukon government did pass a bill in this Chamber that approved the inclusion of nurse practitioners in the Yukon *Registered Nurses Profession Act*. At that time, Yukoners were told that it would take a few weeks to pass leg-

isolation and allow the change to take effect. Three years later, we are still waiting for that to happen.

I know many Yukoners have signed an on-line petition calling for the government to actually live up to the promises made three years ago, and I believe it's worth restating here. The petition reads, and I quote: "The Yukon is the only jurisdiction in Canada that is not utilizing nurse practitioners. Given the increasing shortage of physicians in the Yukon, many residents are left without access to health care. NPs are needed to bridge the ever-increasing gap as the need for health care becomes an issue in the Yukon. Many Yukoners are finding themselves without a family doctor, or in the process of losing their current doctors. The only option for these people is to seek care from the emergency department, overtaking an already heavily overburdened department.

We must urge our minister of health to help address the Yukon's health care deficiencies by utilizing nurse practitioners as the rest of Canada has already done."

So, based on the briefings this morning, I understand that there is a light at the end of the tunnel and that we will see these regulations before the end of the year and nurse practitioners licensed in the Yukon. This is good news, and this is definitely a step in the right direction. Thank you.

Hon. Mr. Pasloski: I rise today to speak to Bill No. 50 and, really, to talk a little bit about nurse practitioners and a little bit about where we are in Yukon with health care. Recently, Alberta has become the latest province to announce that it will dramatically increase the numbers of nurse practitioners they are using and implementing within their health care system, and nurse practitioners are the fastest growing health care profession, with a 25-percent increase in their numbers in the last year alone. There are, according to the latest data, only 2,454 nurse practitioners in Canada, a small fraction of the 355,000 regulated nurses and 68,000 licensed physicians. According to Statistics Canada, some 4.2 million Canadians don't have a primary care provider.

So, as the Minister of Health has articulated on many occasions, while we have challenges, we're certainly not alone in this challenge, in terms of ensuring that we do have the ability to provide primary care for our citizens.

Nurse practitioners really are in an ideal position for triage — determining who really needs to see a physician promptly. They can also treat many minor ailments and, more importantly, do the ongoing management of patients with chronic illnesses. It is my experience working in other jurisdictions professionally that I have, in fact, seen nurse practitioners working side-by-side physicians in emergencies, for example — doing the triage, determining what they can deliver health care for and what necessitates the need to see a physician — and that does a number of things. It continues to keep our costs down and also ensures that we focus our physicians to deal with those cases that truly do need the care of a physician.

Collaboration really does occur every day — today, as we speak, I know the member opposite was implying that this is a great first step, but I have to speak on a personal level to say that collaboration does continue.

There is certainly more work that we can do and that we will do, going forward. But certainly, the communication that occurs on a day-to-day basis between pharmacists and physicians, or between physiotherapists and their physician — this happens on a day-to-day basis, and it really does help keep our costs down and helps to ensure a prompt delivery of health care and ensure that we're all fulfilling our roles within health care. Speaking from a personal level, pharmacists have and will continue to be able to deliver on areas as the professional — as the knowledge base for medications throughout Canada.

Mr. Speaker, no matter what we do on collaboration, we're always going to need acute care hospitals; that just doesn't matter. We will continue to invest, and Canada will continue to invest in looking for ways to meet the primary care needs of Canadians, doing things such as implementing nurse practitioners. But we're also trying to ensure that we can keep our costs down. The continued growth in health care dollars is not sustainable. We look at some jurisdictions right now that are reaching between 40 percent and 50 percent of their entire provincial budgets going toward health care. That is not on a path to sustainability. We do need to look at all of the options that are out there and how we can deal with them.

Now at the level of the Council of the Federation, which as you know is a group of all 13 premiers across the country who get together to deal with issues of national importance as leaders within our country — health care is one of those areas where it is of prime importance and consumes a large amount of time whenever we do meet, both on a personal basis or through conference-calling using technology. Last year we actually implemented a couple different committees that are working on these issues, one being a committee that is working on fiscal arrangements right now and another one that's really on driving innovation, which is really moving from innovation to action to allow us to look at ways where we can continue to ensure that we can deliver the highest level of health care to our citizens, but in a fiscally responsible manner. We need to be able to ensure that we not only provide primary and all levels of care for our citizens, but we also provide teachers and EAs in our schools; we need to be able to build roads; we need to be able to look after our environment; we need to be able to ensure justice for citizens; we need to be able to inspect and promote economic opportunities.

There are many areas within governance where we need to be able to invest money. We all know that governments don't have a money tree in the back; I do know that the party opposite must believe there's a money tree, because they continue to insist that governments have their fingers in just about everything with really no consideration for what the financial ramifications for that would be.

I just heard the members opposite talking on the suggestion that we need to insist on having certified oil-burner technicians doing all of the service — which, to me, just speaks of the priority being legislation with no regard to personal lives and the realities that exist for people, for example in rural communities.

I don't know if they thought they would consider it when somebody in Old Crow or in Ross River had a furnace go out

in the middle of January at 3:00 in the morning and it's 40 below.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Takhini-Kopper King, on a point of order.

Ms. White: Standing Order 19(b) speaks to matters other than the question under discussion.

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

Hon. Mr. Cathers: On the point of order, the Premier is bringing up matters that he believes are relevant to the bill under discussion, and it's certainly not straying further than members of the opposition themselves strayed yesterday in their debate.

Speaker's ruling

Speaker: It's difficult for the Chair to determine what the member is going to say and how he's going to tie it together until the entire presentation has been made. We've had this before on both sides of the House. I just remind members to bring the discussion around to the matter at hand and tie their comments to the actual debate.

The Hon. Premier has the floor.

Hon. Mr. Pasloski: As I was saying, I think that when people are in that situation it would be difficult to follow a legislative requirement to have their furnace dealt with at that time.

I think that, as we all know, people have to be able to stay warm in the wintertime. What I was talking about — and bringing it back to what you are saying — is about financial costs and responsibility. I was referring to the fact that the NDP rarely figures out how to make it work, because you need to have the money to provide the service. That is one of the things that I have spoken about: continuing to grow our economy so that we can create more own-source revenues that allow us to deliver on the programs and services. I am excited to hear the Member for Klondike say, "What are we going to do? We need these lots."

I guess I'll take it as a compliment that we created such a good, strong economy that there is a demand for more lots so people can continue to move forward. Nurse practitioners and all health care professionals can play a role in ensuring that we can deliver that primary level care, and then all other levels of care to Canadians, to Yukoners in a cost-effective manner. We've done some work, and we will continue to do some work both here in the Yukon and in the entire country.

Another aspect of this, of course, is talking about e-health as well and the benefits that e-health will have for us, both from a fiscal perspective and from a health care perspective when, as we continue to move down the continuum of the creation of electronic records for all Canadians. "E-health" is an overarching term used today to describe the application of information and communication technologies in the health sector. It encompasses a whole range of purposes from purely administrative, through to health care delivery. For example, within

the hospital care setting, e-health refers to electronic patient administration systems, laboratory and radiology information systems, electronic messaging systems, and telemedicine, teleconsultants, telepathology, and teledermatology, to name a few. In fact, we use this right now in our nursing stations, providing the ability, for example, for a nurse to take an X-ray and have that X-ray read by a radiologist down south almost instantaneously.

There are great examples of how we can continue to move forward to not only reduce costs — because if we had to bring that person from Destruction Bay to Whitehorse for an X-ray and then have it read, it would be a tremendous cost, but even more importantly than that is the ability to deliver that care as close to home as we can and as quickly as we can.

Within the home care setting, examples of where we can use e-health include teleconsultants and remote vital sign monitoring systems used for diabetes, asthma monitoring and home dialysis. Within the primary care setting, e-health can refer to the use of computer systems by general practitioners and pharmacists for patient management, medical records and electronic prescribing.

When it comes to e-health from a pharmacist's perspective, I think most of us know — if they have a drug plan today — most of these drug plans can be processed electronically and immediately. In fact, pharmacists have been leaders when it comes to the adoption and use of technology within the scope of their practice. A fundamental building block of all of these applications is the electronic health record, which allows the sharing of necessary information between care providers across medical disciplines and institutions. Other important uses of e-health are found in the areas of continuous medical education and public health awareness and education. E-health is an essential element of health care renewal. Its application in Canada's health care system will result in benefits to Canadians through improvements in system accessibility, quality and efficiency.

The Government of Canada has been making these investments, as has the Government of Yukon, in this area now for many years, and we will continue to do so.

Another area we're looking at in terms of the e-health continuum will be the whole aspect of electronic prescribing. That will be another one of the things that will be addressed at that time when we have the opportunity to address such things as looking at the pharmacists and their role and the ability to update legislation with respect to them. It has been happening across the country in the last couple of years, and we'll continue to work toward seeing that we have those meetings and consultations with the pharmacists.

Whenever you meet with any one of these groups — as the Minister of Health has been doing with the nurses — you need to engage all of the health care professionals. We can't look at nurses or pharmacists or physios or any other one within that continuum without ensuring that we work together with all of them because whatever we do for one sometimes does have an impact on the others. So we have to ensure that that happens.

We are excited to be moving forward with this. We realize that this is another step along the way to ensuring that we can

continue to find methods to address the health care needs of Yukoners in a time-efficient manner and ensure that we continue to look for ways that we can do so, while doing it in the most financially responsible way. One of the recommendations that has come out of the COF groups has been looking at some mass purchasing of some key pharmaceuticals and looking to negotiate a price that could be implemented across the country because of the mass purchase. I think on the surface of that, that is a very intriguing and exciting idea that perhaps raises the ability to save some money. I think there needs to be some consideration and diligence around that as well. One can remember the situation of the shortages we had with some injectable drugs when going to sole-source providers for a single product. In the event of something occurring causing that manufacturer to not be able to produce that product, we need a way to ensure that product will still be available for Canadians. So I think there is still some work to be done and that group is continuing to do that work.

We're also working on ways of increasing the communication across the country so that health care professionals can look at what there is to offer — what there is in a province or a territory; what the salaries are, what the wages are, what the incentives are. So this is another way we can continue to try to not only attract people — because I believe that the Yukon is certainly a destination when it comes to health care providers. I know that in my business I never seemed to have as many problems as some of my peers did who worked in the northern end of provinces. I don't want to pick on any town, but let's say High Level, Alberta, or Burns Lake, British Columbia. They always had more trouble attracting workers than we did. So I think we do have that on our side as well.

We will continue to work with all of our health care providers and, in this case specifically, we're working with our nurses and with our doctors, because part of this new responsibility does create some duplication with the doctors, so we're working together.

We've taken the initial steps to do so and we're excited about that. We're excited to continue as we move forward to look at opportunities to address health care needs for Yukoners and ensure we can do so in a financial matter.

Hon. Mr. Cathers: I'll be brief in rising in support of this legislation. I'd like to thank the Minister of Health and Social Services and department staff for their efforts on this. I'd just like to rise primarily to acknowledge the many people within the department and within the health care community who have been involved in discussions leading up to the development of the nurse practitioner regulations, including this enabling legislation. There are too many people to recognize — and I'm sure that some would be missed if we tried to do so — but I recognize that it includes department staff, nurses, nurse practitioners, doctors and other health professionals who have been involved in those discussions.

The work was quite extensive. In fact, I recall dealing with the work toward developing it in previous times and I again want to thank everyone who has worked on this. I also believe the staff of Community Services should be acknowledged for

the role that they play in this — and of course the staff of other departments, including Justice with the legal drafters. So again, thank you to all who have been involved in making this happen. I think that this legislation is a positive step forward in enabling nurse practitioners to fully practise within the scope of their competency and is yet another step that can be taken to help the Yukon make the best use of its health care professionals and their full range of skills. It gives us the ability to attract people who have a higher level of training to the nurse practitioner level to come to the Yukon to maintain their proficiency without losing qualifications in certain areas, as would have happened in previous times — or could have happened for some.

This is a good step. It is one part of improving health care delivery to Yukoners, making more health care professionals available to Yukon citizens and enabling our government to work with the Hospital Corporation, with medical and health practitioners and come up with effective solutions to make health care more available to Yukon citizens.

So with that, I commend the legislation to the House.

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

Hon. Mr. Graham: I'll just wind up quickly. One thing that I wanted to do was make sure that I reiterated the fact that we do have an implementation working group in place at the present time, co-chaired by members of the department and the Yukon Registered Nurses Association. Members of the team include the Yukon Medical Association, the Yukon Hospital Corporation, Kwanlin Dun First Nation, and other key areas of Health and Social Services. Their mandate is to support the integration of nurse practitioners into the Yukon health care system, so they have been established. They will meet and they will also provide a forum to share opportunities to discuss nurse practitioner practice.

With that, I'll just say that I look forward discussing the bill in Committee of the Whole.

Motion for second reading of Bill No. 50 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): Committee of the Whole will now come to order. The matter before the Committee is Bill No. 50, *Statute Law Amendment (Nurse Practitioners) Act*.

Committee of the Whole will recess for 15 minutes.

Recess

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

Bill No. 50: Statute Law Amendment (Nurse Practitioners) Act

Chair: The matter before the Committee is Bill No. 50, *Statute Law Amendment (Nurse Practitioners) Act*.

Hon. Mr. Graham: I'm pleased to speak to the *Statute Law Amendment (Nurse Practitioners) Act*, and I'll just make a couple of opening comments.

The bill, as I've already said, will amend a number of pieces of Yukon legislation to recognize nurse practitioners in Yukon. The primary purpose of the bill is the addition of nurse practitioners to Yukon legislation so that they are legally recognized in legislation and so can perform authorized medical procedures and become integrated into Yukon's health care system.

There are some ancillary changes in addition to adding NPs, such as cleaning-up terms used to reference health care practitioners. I realize probably most members have a copy, but I'll just run through a summary of legislative amendments and go through each act.

The first is the *Care Consent Act*, which will add nurse practitioners to the definition of "health care providers" so that they may perform services in areas such as providing certificates for financial protection, managing refusal of health care or other activities in the same manner as physicians and registered nurses currently do.

In the *Children's Law Act*: in cases of incapacity, a nurse practitioner can certify that giving blood for cases of proving parentage is not prejudicial to a person's proper care and treatment when the court orders such a blood test.

Under the *Corrections (Young Offenders) Act*, it requires a superintendent to act on advice from a nurse practitioner when deciding whether to move an inmate to a hospital, medical emergency or other facility.

Under the *Employment Standards Act*, there is a change that allows a nurse practitioner to be one of the health care providers who can provide a certificate of entitlement for maternity leave, sick leave, or care of an immediate family member.

The *Enduring Power of Attorney Act* has been amended to allow a nurse practitioner to certify mental incapacity or infirmity in conjunction with a physician for an enduring power of attorney to take effect.

Under the *Evidence Act*, changes will allow nurse practitioner reports to be admissible as expert evidence and also requires a party to pay to have a nurse practitioner attend court to provide testimony where a report would suffice. Finally, the change will allow a nurse practitioner to provide a certificate to determine if a person has medical fitness to attend court.

Under the *Human Tissue Gift Act*, it allows a nurse practitioner to provide an assessment of capacity to consent in cases where death is imminent and an individual is incapable of giving consent such that another person must make a decision about body parts following death. It also will allow a nurse practitioner to determine fact of death in conjunction with a physician. The *Legislative Assembly Retirement Allowances*

Act will allow a nurse practitioner to provide a written statement that first a member's illness or disability is likely to shorten their life expectancy to less than two years for the purposes of withdrawing a lump sum from the plan. Secondly, a member who is totally and permanently disabled, who has not yet reached the age of 55, is recognized as such so that they may receive an immediate allowance.

Under the *Marriage Act*, changes will allow a nurse practitioner to provide a court-ordered physical examination for nullity of marriage.

Under the *Motor Vehicles Act*, changes will allow an NP report to the registry of medical information where a condition adversely affects driving. Secondly, it will provide a medical examination for persons 70 years or older. Thirdly, a nurse practitioner may provide a certificate of exemption for a child from a restraint system for medical reasons. Finally, a nurse practitioner may provide reasons established by evidence for exemption of seat belt use by a driver or a passenger.

Finally, under the *Vital Statistics Act*, the changes will allow a nurse practitioner to provide a medical certificate stating cause of death.

So that captures all of the changes that we are proposing here today in Bill No. 50, and I look forward to any questions. Thank you, Madam Chair.

Ms. Hanson: As we said earlier, the Official Opposition does support this *Statute Law Amendment (Nurse Practitioners) Act*. I just have two questions. Sometimes these little things pique curiosity. I just ask the minister if he could tell me what "determining fact of death" means. I understand "cause of death," but what does "fact of death" — when somebody is dead? It sounds like Monty Python.

Hon. Mr. Graham: As we understand it, determining fact of death is just legal terminology — confirming that the person actually died.

Ms. Hanson: Earlier in the minister's background on this amendment act, he identified some areas for future consideration, including admissions and discharge at the hospital, referral to specialists, mental health legislation, occupational health and safety — the legislation that is associated with that under the Workers' Compensation Health and Safety.

Can the minister provide a timeline for discussion in these areas and also outline who will be at the table? That will be the extent of my questions. We would like to move to line-by-line debate after that.

Hon. Mr. Graham: At this point I can provide a timeline or an anticipated timeline for at least one, and that one is the changes to the Workers' Compensation Health and Safety Board regulations because those will probably be the simplest and easiest ones to negotiate. So I expect those will be done in the relatively near future. I won't say within six months or four months, but I will say in the relatively near future.

The other two issues — there are actually three, because another is that some changes have to be made under the *Mental Health Act* as well — but the others are all a little more, shall we say, sensitive issues. We will be continuing to consult with any number — especially in terms of the admissions discharge. It was interesting when we met with the Yukon Medical Asso-

ciation and the Yukon Registered Nurses Association and some of the points within the regulations were outlined, and one physician, who had sat there silent, listening and contemplating, finally made a comment, being that nurse practitioners can diagnose, prescribe drugs, admit, discharge, and care for a patient in the hospital — what's left for doctors to do?

So that kind of brings a certain amount of perspective to what we're doing here, and we have to make sure that within the scope of practice, that we clearly lay out what the various principles — especially admission, discharge and referral to specialists — we'll have to lay out what those principles are.

The timeline will be discussed with the implementation working group. So that will include the YRNA and the department as co-chairs; it will include Kwanlin Dun; it will include the Yukon Medical Association, and any number of others as required. At this time, there is no public representation on that committee, but we would be open to discussion on that part, but timelines for implementation will be part of that discussion.

Chair: Is there any further general debate? If not, we will proceed with line-by-line review.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Clause 4

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

Clause 6 agreed to

On Clause 7

Clause 7 agreed to

On Clause 8

Clause 8 agreed to

On Clause 9

Clause 9 agreed to

On Clause 10

Clause 10 agreed to

On Clause 11

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Clause 13 agreed to

On Title

Title agreed to

Hon. Mr. Graham: I move that Bill No. 50, entitled *Statute Law Amendment (Nurse Practitioners) Act*, be reported without amendment.

Chair: It has been moved by Mr. Graham that Bill No. 50, entitled *Statute Law Amendment (Nurse Practitioners) Act*, be reported without amendment.

Motion agreed to

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

Chair: It has been moved by Mr. Cathers 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: Committee of the Whole has considered Bill No. 50, entitled *Statute Law Amendment (Nurse Practitioners) Act*, and directed me to report the bill without amendment.

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

All Hon. Members: Agreed.

Speaker: I declare the report carried.

GOVERNMENT BILLS

Bill No. 44: Second Reading — *Miscellaneous Statute Law Amendment Act, 2012* — adjourned debate

Clerk: Second reading, Bill No. 44, standing in the name of the Hon. Mr. Kent; adjourned debate, Ms. Moorcroft.

Ms. Moorcroft: At the outset, I would like to note that I rose to speak to second reading of Bill No. 44, *Miscellaneous Statute Law Amendment Act, 2012* when it was first called for debate on Tuesday, October 30. As I said then, the Official Opposition supports this bill.

I also expressed concerns that it is time for Yukon government to bring our laws into full compliance with First Nation final agreements and self-government acts, some of which have been in effect for almost 20 years. The *Miscellaneous Statute Law Amendment Act, 2012*, is an appropriate vehicle to do that.

Mr. Speaker, when we debated amendments to the *Liquor Act* in the April 2012 sitting, the Official Opposition asked the minister responsible why he hadn't brought forward amendments to replace terms like "Indian band" and "band communities" when referring to self-governing First Nations. The minister's reply was that the references to "bands" didn't create any difficulty for First Nations and that he would look to do a more comprehensive review in the future to modernize that language. When might that future be?

The minister's answer was there isn't yet a timeline associated with that and, as we see, that timeline is not today when we are here debating the *Miscellaneous Statute Law Amendment Act, 2012*. Although there are amendments to the *Liquor Act*, and we are debating expressions like "ne doit pas" and replacing "Heritage branch" with "Cultural Services branch", we're not addressing language in relation to the land claim agreements.

I want to state very clearly that accurate language in both official languages is critical. As I've said before, and I repeat

for emphasis: the Official Opposition does support the *Miscellaneous Statute Law Amendment Act, 2012*. We support this bill. But I ask: Why isn't the language of First Nation final agreements just as important as correcting French language translation and correctly referring to branches of the Yukon government that have changed their names?

Maybe the Premier could explain if there is a connection between the example of disrespect for the Yukon First Nations I spoke about and the fact that his government has failed to bring forward miscellaneous statute amendments to correct legislation that refers to bands rather than First Nation communities or people.

In this year's spring sitting, the government said that —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Order please. Government House Leader, on a point of order.

Hon. Mr. Cathers: I believe the Member for Copperbelt South just crossed the line. You've twice ruled this week and reminded members not to accuse other members of this House of having a bias against an identifiable group of people.

Speaker's statement

Speaker: I'll have a look at the Blues tomorrow to fully understand the phrasing that was used and I'll give a ruling on Monday, if necessary. The Member for Copperbelt South has the floor.

Ms. Moorcroft: May I say that I meant no disrespect, Mr. Speaker. I merely wanted to say that I am puzzled as to why making our laws consistent with final agreements and self-government agreements is not a priority for the government.

In closing, while the Official Opposition is pleased to support the *Miscellaneous Statute Law Amendment Act, 2012*, one would think that during the 10 years the Yukon Party has been in power, they would have done a review of all Yukon government legislation to make sure the laws respect and reflect the current legal status of Yukon First Nation governments. So I ask: When will the government provide direction to the Justice department to prepare statute law amendments that update our laws to be consistent with Yukon First Nations final and self-government agreements? Thank you.

Hon. Mr. Dixon: It's a pleasure to rise and speak to this bill, the *Miscellaneous Statute Law Amendment Act, 2012*, Bill No. 44. Within this act, there are obviously a number of changes that occur to various acts, primarily of an editorial or typographical nature, but I wanted to highlight a few that are relevant to my department, in particular the changes to the *Wildlife Act*. There are, of course, two small changes here, both of an editorial nature

One is the amendment to section 30(3), changing the term to include "or operating certificate" with the term "permit". Another is with regard to specially protected wildlife. This is, of course, an editorial change, but it does highlight the fact that under the *Wildlife Act*, there are a number of species that are deemed as "specially protected". Those include gyrfalcon, as

well as the peregrine falcon. I believe it also includes cougars, which is interesting because all cougars are protected from hunting in Yukon. There is a bit of history there. The carcass of a male cougar was found near Watson Lake in the fall of 2000. Only 25 reliable cougar sightings in Yukon since 1944 suggest cougars are present in low numbers. The carcass, however, was the first hard evidence that cougars range here. Recently, photographic evidence was provided and a strong relationship between cougar sightings and mule deer observations indicates cougars may have followed the mule deer, its primary food source, as mule deer expanded their range into Yukon. Of course, I want to take the opportunity to remind Yukoners that they can report all cougar sightings to Environment Yukon, and I encourage them to do so. Of course, another species that is specially protected is the muskox.

The Yukon muskox population is believed to number between 150 and 200 animals in several small herds ranging across the Yukon North Slope. I would note that they are not open to hunting and a muskox management plan is currently being developed, so I look forward to reporting back to the House as that progresses. Indeed it is possible that in the future there may be future harvesting opportunities for muskox following the creation of the management plan.

Those are just a few little editorial notes that I wanted to make as a result of the changes being made in this act. I wanted to take the opportunity to raise that for members' attention. With that, I will be happy to commend this bill to the House and I look forward to hearing members' comments on this bill.

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

Hon. Mr. Kent: I will spend a little bit of time — not a lot of time because I know we want to move into Committee and get on with other business of the House — responding to some of the issues raised by the Member for Copperbelt South.

Our government has not yet completed an inventory of all instances in statutes and regulations where antiquated language referencing, among other things, First Nations would need to be changed. At this time, the Department of Justice is noting incidents of outdated language as they come across them in other projects. As I mentioned in my opening address, from time to time the government brings forward acts like this one, *Miscellaneous Statute Law Amendment Act, 2012*, to make minor corrections to a series of Yukon acts. It has been the practice of this House that the amendments in this kind of act not be associated with any policy changes or be controversial, but rather correct language errors, grammatical and numbering errors, remove incorrect references, and ensure that the French matches the English. It's not clear that in all cases such changes would fit the criteria for inclusion in a *Miscellaneous Statute Law Amendment Act*; that is, such changes may not be house-keeping matters. For example, changes would have to account for settled and non-settled First Nations, their government structures, and the fact that settled First Nations own settlement land.

Before any changes could be made, there would need to be internal consultations with our Land Claims and Implementation Secretariat and in many instances with First Nations.

So, government is, of course, aware of the issue, and as legislation is modernized over time, such changes will be incorporated. Of course, as the minister responsible for the Yukon Liquor Corporation, I was the one who made reference when we made those amendments to the *Liquor Act* in the spring, and it's something that I'm certainly committed to doing as we modernize the act. However, when this was first raised on Tuesday by the Member for Copperbelt South, I did do a little bit of research through *Hansard*, and, of course, there are a number of us in this House who have been here before. Two members on this side of the House served in the government caucus and as Cabinet ministers over the past 10 years — the Member for Porter Creek North served as a Cabinet minister in his first go-round, as well. So did I, as well as the Member for Copperbelt South. In fact, she was the Justice minister from 1996 to 2000.

From the research that I was able to conduct, the member in her time as Justice minister did one miscellaneous statute amendment bill during that four years. There may have been others, but this is one that I was able to find, and it was in 1998. There were five acts that she amended, and I'll share those with the House — the *Consumers Protection Act*, *Enduring Power of Attorney Act*, *Mechanics Lien Act*, *Nursing Assistants Registration Act*, and the *Historic Resources Act*.

Something that I found very interesting was in the *Historic Resources Act* that she amended — there were eight references that referred to the type of antiquated language that we're discussing here today that were not altered by the Minister of Justice at the time, the current Member for Copperbelt South. I'm just curious. We can perhaps get into it in Committee of the Whole, but while she was amending the act on that point, I was just wondering why she didn't make those changes then, recognizing, of course, that these types of things are very important to her, as they are important to all members in this House to update that type of antiquated language. But perhaps when we get into Committee of the Whole, the member opposite will be able to tell us why, when she felt so strongly about this when she was the Minister of Justice, she did not make those changes at that time to that *Historic Resources Act*. Perhaps she felt, as we do, that the miscellaneous statutes act were not the places to make — rather, is the place to make minor corrections to a series of Yukon acts and not get into that broader modernizing piece.

I look forward to hopefully hearing that explanation when we get into Committee and with that, Mr. Speaker, I'll take my seat.

Motion for second reading of Bill No. 44 agreed to

Hon. Mr. Cathers: Mr. Speaker, 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: Order. I will now call Committee of the Whole to order.

The matter before the Committee is Bill No. 44, *Miscellaneous Statute Law Amendment Act, 2012*.

Hon. Mr. Kent: Madam Chair, may I request a brief five-minute recess while officials get settled.

All Hon. Members: Agreed.

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

Recess

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

Bill No. 44: *Miscellaneous Statute Law Amendment Act, 2012*

Chair: The matter before the Committee is Bill No. 44, *Miscellaneous Statute Law Amendment Act, 2012*.

Hon. Mr. Kent: I know it has been a couple of days since we talked about this act, so I will just paraphrase some of the opening parts of my second reading speech and then get into, obviously, the general debate and then the line-by-line.

So, again, from time to time, the government does bring forward a miscellaneous statutes act to make minor corrections to a series of Yukon acts. It has been the practice of this House going back to when the Member for Copperbelt South was the Minister of Justice, and perhaps even when the Member for Porter Creek North was the Minister of Justice, that the amendments in this kind of act not be associated with any policy changes or be controversial, but rather correct language errors, as I mentioned — grammatical and numbering errors, remove incorrect references, ensure that the French draft matches the English draft, ensure that all consequential amendments resulting from previous changes have been made and ensure that the language of the bill correctly represents the practice of those using the act.

This is a rather large miscellaneous statutes act because the Department of Justice is at present working through all Yukon bills in an effort to consolidate them as part of the continuing consolidation of statutes project that the department has undertaken. With that, I would welcome the two officials from the Department of Justice who have joined us here in the Legislature today to provide support.

As was indicated at second reading, I am sure that members of this House support the work of the department to move toward a continuous consolidation of statutes. This is especially important when members of this House or the general public try to read bills that regularly get amended, such as the *Motor Vehicles Act*, which over a long period of time, with many changes, can become a challenge to try to decipher.

Members may be aware that we already continuously consolidate the regulations every four months and that updated

regulations are posted on the legislation website as they become available. This will soon also be true for all Yukon statutes, as they will be consolidated and posted on the website shortly after each legislative session.

For now, the department is working to complete the initial consolidation next year and there will be legislative work to come related to that project as we go. Similar to the work that occurred in 2002, the last time our legislation was consolidated.

The *Miscellaneous Statute Law Amendment Act, 2012* contains 31 sections this time. Rather than take a few moments to quickly highlight them for the House — I did that on Tuesday when I went through it section by section all the way up to section 31. Of course, the acts that are being amended include the *Builders Lien Act*, the *Elections Act*, the *Historic Resources Act*, *Housing Corporation Act*, *Liquor Act*, *Mental Health Act*, *Miners Lien Act*, *Motor Vehicles Act*, *Public Utilities Act*. There are a number of them, as I outlined on Tuesday afternoon when I gave the initial second reading speech talking about this.

Again, what we heard in second reading were some questions from the Member for Copperbelt South with respect to antiquated language. In my closing second reading speech, I did talk about that, but perhaps there is an opportunity for me to just go through that again during Committee here once we get into general debate.

Our government has not yet completed an inventory of all instances in statutes and regulations where there are antiquated language referencing. Among other things, First Nations would need to be changed.

At this time, the Department of Justice is noting incidents of outdated language as they come across it for other projects. Of course, in the springtime of this year when we were discussing the *Act to Amend the Liquor Act*, as minister responsible for the Liquor Corporation, I committed to updating that language when we come to a vehicle that's available — which is not this *Miscellaneous Statute Law Amendment Act, 2012*, because, as I said in my opening, this is designed to make minor corrections to a series of Yukon acts. It's not clear that in all cases, such changes to antiquated language, would fit the criteria for inclusion in a miscellaneous statute law amendment act — that is, such changes may not be housekeeping matters. For example, changes would have to account for settled and non-settled First Nations, their government structures and the fact that settled First Nations own settlement lands. Before any changes could be made, there would need to be consultations internally, as I mentioned before, with the Land Claims and Implementation Secretariat, and in many instances, of course, publicly with First Nations as well.

Of course, government is aware of the issue and as legislation is modernized over time, such changes will be incorporated.

Again, as I mentioned during second reading, having done a little bit of research into *Hansard*, I would note the Member for Copperbelt South was the Justice minister — I believe from 1996 to 2000, or at some point during that time — definitely the Justice minister in 1998, when she did introduce a miscellaneous statute amendment bill during her time. I did mention

the acts that she amended: the *Consumers Protection Act*, *Enduring Power of Attorney Act*, *Mechanics Lien Act*, *Nursing Assistants Registration Act*, and the *Historic Resources Act*. As mentioned earlier, the *Historic Resources Act* she amended using this vehicle at the time, did contain eight references to the type of antiquated language that she was very, very passionate about in her second reading speech. So I would just wonder why, when she was amending the act on another point, why she didn't make the changes then. Perhaps she recognized at the time that this wasn't the proper vehicle to make those changes.

You know, I think that my question for the member opposite is this: If she felt so strongly about this, why did she not make these changes when she was the Minister of Justice?

Having said that, perhaps — again, relying on the advice of officials — she would have realized at the time that these types of amendments are meant to be minor in nature and not meant to tackle some of the updating of antiquated language. I know that all members in this House feel very strongly about modernizing our language and updating it. Of course, the Member for Copperbelt South is not alone. It's something that's important to everyone on this side and everyone on the other side of the House.

So, again, I'm looking forward to hopefully hearing her response, as she casts her mind back to her time as Justice minister. But I don't believe, and the government doesn't believe, that updating that type of language is a proper fit for miscellaneous statute law amendments. So, with that, I will turn it to the opposition.

Ms. Moorcroft: I thank the minister for his recognition of the fact that I served as Yukon's Minister of Justice from 1996 to 2000. The minister has just made the point that the Department of Justice is noting outdated language as they come across it and that changes will be made.

He has also made the case that a miscellaneous statute act is intended not to deal with any policy changes, but simply to correct language errors, and then he went on to suggest that I was deficient as minister in 1998 in not making changes to the *Historic Resources Act* in reference to antiquated language.

Casting my mind back to that period of time, there were four First Nation final agreements that came into effect in 1995 and one additional. The Government of Yukon, the Government of Canada and the First Nation governments were at the table with a negotiating mandate to complete all land claim agreements. Initially, the target date was 1998. Then the target date to complete all the land claim agreements was 2000. So that was a priority for the government of the day and it made sense to have all of those land claim agreements in effect before making changes to Yukon statutes.

I would note that there have been 11 agreements finalized as of 2003, and that means that there has now been a nine-year period during which the Yukon Party has been in government and has not addressed the issue of correcting language to be consistent with the First Nation final agreements and self-government agreements. I am pleased to hear the minister assert that he is committed to doing that. He is making the case that in fact the changes that I am suggesting the government do may not fit the criteria for inclusion in the miscellaneous statute

act. I also want to say that I am very pleased to hear that the Department of Justice is working on a continuing consolidation of statutes. I believe it is important to have a continuing consolidation of statutes done on approximately a 10-year period of time, and it was 2002 when one was last brought forward. I would like to make the case that the next continuing consolidation of statutes do include the kinds of changes that need to be made to language in Yukon legislation in order to make them fully accurate in relation to how matters have changed because of the First Nations final agreements and self-government acts.

I guess the only question that I have left for the minister is that when we did debate the amendments to the *Liquor Act* in spring 2012, we brought forward these concerns about language and he said that he would look into that. I would urge the minister to tackle that and if it's not appropriate for miscellaneous statutes, that he would bring forward amendments to the *Liquor Act* as well as encouraging other ministers to bring forward amendments as required to other statutes for which they are responsible.

Hon. Mr. Kent: I will just respond to the first part of the member opposite's question. Of course, I wasn't being disparaging about her time as Minister of Justice — merely pointing out that when presented with the same opportunity that we have today to update antiquated languages with the miscellaneous statute amendment bill, she didn't do that at that time, either.

I will review the Blues, but I think just in the member's second reading speech, she did mention 20 years of First Nation final agreements. Of course, that goes back to 1992. Her time as Justice minister was 1996 to 2000.

Just to follow up, this is going to be a continuous consolidation of statutes, as pointed out to me by officials, and it's going to be something that occurs on a regular basis rather than in gaps of 10 years. That's something important, I think, that we do need to portray. Government is, of course, aware of the issue with the antiquated language, and as legislation is modernized over time, such changes will be incorporated. Again, in my role as minister responsible for the Yukon Liquor Corporation, when we did make those amendments to the *Liquor Act* in the spring of this year, there were some time-sensitive issues that were associated with those amendments at the time. I know we spent some time on the floor of this House discussing them. One, of course, was to allow for a public drinking ban on a couple of parcels of land adjacent to the community of Mayo, so we were able to get that in for the summer.

The second one, of course, was to increase the personal importation limits for alcohol for people travelling back to the Yukon from Outside provinces. That was necessitated, I believe, by a bill that made its way through the federal House as well. That was part of that at the time, to bring us up to what Yukoners would pay a nominal amount of duty on if they were to bring that quantity of alcohol in from the United States or another country.

Again, I thank the member opposite for her concerns when speaking on the language and how passionate she is about updating antiquated language. I can certainly assure her that I know my colleagues and I on this side of the House share that

passion. As we move with this continuous consolidation, if there are opportunities as legislation is modernized over time, we will incorporate those changes as we can.

Ms. Hanson: I just wanted to clarify something for the member opposite, because perhaps I am one of the few people in this Chamber who was involved in the land claims negotiation process as the director of land claims and self-government negotiations for the federal government during the period that he has referred to here. In fact, when my colleague makes reference to a 20-year time frame, that will be — as the member opposite will no doubt be advised and will no doubt corroborate: 1993 — the 20-year time frame that she is referring to is when the first four, including Na Cho Nyäk Dun, concluded their agreements, when the all-party Committee of this Legislative Assembly — the Premier, the Leader of the Official Opposition, and the Third Party — all went to Ottawa together to say they supported these and started the process to begin the legislation in 1994. They came into effect in February 1995. At the time, as my colleague said, all parties assumed that the negotiations and the mandate that existed at that time — 1998 — that we would have concluded them. So it would have been imprudent for any government, the federal government included, to make those amendments.

I will say to the minister that I am happy that he shares a passion for ensuring that antiquated legislation is brought up to date. The reason why we raised the issue in the spring was because we were concerned, with respect to Na Cho Nyäk Dun, that it was no surprise in dealing with the First Nation of Na Cho Nyäk Dun or their Village of Mayo that they were dealing with a settled land claim area.

That would have been a great opportunity, we thought, to show in one piece of legislation the forward thinking that recognized that no longer was it responsible or adequate to deal with references to the era of the *Indian Act*, the kinds of designations of lands or people.

Simply put, for productive discussion, it is not a pointing of fingers. I think we want to make sure that we put it forward in a positive way. In that vein, I am looking forward to the minister setting for this Committee of the Whole the timelines for putting forward this continuing consolidation of statutes so we are not talking in five years from now or 20 years from now about how committed and passionate we are about doing this, but in fact, we've demonstrated that we do as government, as legislators — because that's what we are all doing here — that this is going to happen. One of the ways it happens is when we have leadership at the ministerial level that says, "I am expecting it to be done by such and such a time".

I am looking forward to hearing from the minister, or perhaps it's the Premier, because he is the one who actually gives the whole of government direction here.

But where's the leadership that tells us that our commitment is this, and we will get it done? That's simply put, and I think that's something we would all share, because, as he said, we do share a common commitment to making sure that our relationship as legislators with the other major order of government, the Yukon First Nations, is not only talked about in

terms of being respectful, but is reflected in our day-to-day work and legislation that underpins the work that we do.

Hon. Mr. Kent: As I mentioned in my remarks, before any changes could be made to the language, there would be need to have consultations internally with the Land Claims and Implementation Secretariat, and, in many instances, publicly with First Nations as well. Obviously, when we came back in the spring and had the opportunity to amend the *Liquor Act* — to respond to a request from the First Nation of Na Cho Nyäk Dun and the Village of Mayo to have the public drinking bans instituted on those lands — there wasn't the time to conduct those consultations, and that's why that didn't occur. Again, as I mentioned earlier, the government is aware of the issue. As legislation is modernized over time, we will incorporate those changes. When it comes to the continuous consolidation, the initial consolidation is scheduled to be done next year, in 2013, and then will become continuous after that.

We could go back and forth, I guess, for quite a long time on the timing — 1993, as the Leader of the Official Opposition mentioned, for the first number of claims to be settled, and then five years later, when the Member for Copperbelt South as Justice minister did this. But I'm not interested in that, and I don't think it would be a productive use of this House's time.

I have mentioned that we, of course, are aware of the issue. As we modernize legislation over time, we will incorporate those changes to language. I think, as I've also mentioned, that's something that is shared by all members of this House — that we update language to get away from the old, antiquated language. I know the federal government just changed the name of the former Indian and Northern Affairs to a new name that is more respectful and represents modern language as well.

With that, as we talk about this bill that's in front of us — similar to the one the current Member for Porter Creek North introduced when he was the Minister of Justice back in the early 1980s, perhaps; the Member for Copperbelt South when she was the Minister of Justice in 1996; and myself, as acting Minister of Justice, standing in for our Minister of Justice today.

This is something that's consistent and language changes weren't dealt within this type of bill in 1996, and we didn't think it was appropriate to deal with it in this type of bill — or pardon me, in 1998 when she brought in that bill. We didn't feel that it was appropriate to deal with that — again, based on the fact that we would have to do some consultations internally, as well as externally with First Nations, before we're able to update that type of language.

Ms. Moorcroft: Moving on, the acting minister spoke about the continuing consolidation of statutes in his remarks. So, although he is the acting minister, he did raise that matter and he has officials with him. So I would just like to ask if he is able to reply to the question that we raised — that the Leader of the Official Opposition just mentioned — as to whether the department and the minister have a timeline as to when the next continuing consolidation of statutes might be completed.

Hon. Mr. Kent: Thanks, and I have been advised by officials that the initial project will be complete, as I mentioned

in my previous response, in 2013, and that it will be continuous after that.

Ms. Moorcroft: Thank you. I thank the minister for that answer and, before I clear in general debate, I would just like him to respond on whether it is the intent of the government — whether the minister has given the direction to the Department of Justice that, as part of the continuing consolidation of statutes, they will undertake the consultations needed, both internally and with First Nations as well relating to the language used in statutes, making sure that they are reflective of the new era that we find ourselves in with Yukon First Nations final agreements and self-governing agreements in place.

Hon. Mr. Kent: Thank you. As I did mention obviously, and the member opposite mentioned referenced, there's the need for internal consultations as well as those external ones. We're aware of the issue and as legislation is modernized over time, such changes will be incorporated.

Of course we do have three Yukon First Nations that have not reached a final agreement or settled their land claims yet. There may be some issues around that as well. However, I will take the member's question under advisement and pass it along to my colleague, the Minister of Justice. Perhaps we are able to address it at a later date.

Chair: Is there any further general debate on Bill No. 44? We will move to line-by-line review.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Clause 4

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

Clause 6 agreed to

On Clause 7

Clause 7 agreed to

On Clause 8

Clause 8 agreed to

On Clause 9

Clause 9 agreed to

On Clause 10

Clause 10 agreed to

On Clause 11

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Clause 13 agreed to

On Clause 14

Clause 14 agreed to

On Clause 15

Clause 15 agreed to

On Clause 16

Clause 16 agreed to

On Clause 17
Clause 17 agreed to
On Clause 18
Clause 18 agreed to
On Clause 19
Clause 19 agreed to
On Clause 20
Clause 20 agreed to
On Clause 21
Clause 21 agreed to
On Clause 22
Clause 22 agreed to
On Clause 23
Clause 23 agreed to
On Clause 24
Clause 24 agreed to
On Clause 25
Clause 25 agreed to
On Clause 26
Clause 26 agreed to
On Clause 27
Clause 27 agreed to
On Clause 28
Clause 28 agreed to
On Clause 29
Clause 29 agreed to
On Clause 30
Clause 30 agreed to
On Clause 31
Clause 31 agreed to
On Title
Title agreed to

Hon. Mr. Kent: Madam Chair, I move that you report Bill No. 44, *Miscellaneous Statute Law Amendment Act, 2012*, without amendment.

Chair: It has been moved by Mr. Kent that Committee of the Whole report Bill No. 44, *Miscellaneous Statute Law Amendment Act, 2012*, without amendment.

Motion agreed to

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

Chair: It has been moved by Mr. Cathers that the Speaker 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. 44, *Miscellaneous Statute Law Amendment Act, 2012*, and directed me to report the bill without amendment.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

GOVERNMENT BILLS

Bill No. 43: *Act to Amend the Securities Act* — Second Reading

Clerk: Second reading, Bill No. 43, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: I move that Bill No. 43, entitled *Act to Amend the Securities Act*, be now read a second time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 43, entitled *Act to Amend the Securities Act*, be now read a second time.

Hon. Ms. Taylor: I am pleased to introduce Bill No. 43, *Act to Amend the Securities Act*. Specifically, the *Act to Amend the Securities Act* contains provisions that will regulate credit rating organizations; recognize bodies that oversee auditors of securities issuers; ensure mandatory disclosure requirements for products such as mutual funds; update accounting and auditing terminology; and appoint, when required, a deputy superintendent of securities. In highlighting the features of this bill, I would like to emphasize that all of the proposed amendments are part of Yukon's participation in the Canada-wide passport system initiative.

In 2004, along with the other territories and nine provinces, Yukon joined the passport system, which guides harmonization efforts in the regulation of Canadian capital markets. The main goal of the passport system is to ensure that each province and territory has a common legislation framework for regulating the sales of securities. This helps to ensure the efficiency of transactions across jurisdictional boundaries and accordingly, promotes trading for the benefit of industry and the Canadian economy.

The products offered for sale in the securities marketplace are becoming more varied and more numerous all the time. The amendments proposed in Bill No. 43 reflect the continuously evolving nature of Canada's securities market and are necessary to maintain Yukon's participation in the passport system. The amendments being proposed today are also being introduced in provinces and territories across the country.

In harmonizing our legislation, we are promoting sound business practices and promoting investment in trade, by recognizing the value of the industry in our nation's economy. We expect that further changes will be required on a regular basis to ensure that Yukon stays current with our partners in the passport system as we position Yukon as a commerce- and business-friendly jurisdiction.

The proposed amendments balance investor and consumer protection and business interests and will maximize benefits to Yukon. When making investment decisions, investors often rely — or at least in part — on ratings issued by credit rating organizations. These organizations are not currently regulated in Canada. However, the proposed amendments will enable the

superintendent of securities to regulate these organizations in order to ensure that they operate within a set of standards.

Another important feature of the proposed legislation is the statutory recognition of “auditor oversight bodies”. Auditor oversight bodies will, as the title suggests, have the power to oversee the work of auditors of securities issuers and will have the ability to acquire the information needed for the purposes of an audit. This oversight authority will be limited to financial statements that are required to be filed under Yukon securities laws. This is the kind of provision that balances investor and consumer protection without unnecessarily burdening industry.

As products other than stocks are now available in the marketplace, mandatory disclosure requirements to produce prospectus-type documents for products such as mutual funds are now included in the proposed changes to the act. This allows for a broader range of investment products and adds the necessary flexibility regarding disclosure documentation that may be required.

Additionally, the same type of remedies for violation of disclosure requirements will be available to investors. Amendments also reflect today’s auditing and accounting terminology. For example, where the current act notes the phrase “generally accepted accounting principles” it has been replaced with “international financial reporting standards”. The proposed amendments enable the superintendent of securities to designate one or more persons as a deputy superintendent. This change will ensure continuity of securities regulations in the absence of the superintendent, who must at times attend meetings outside the territory.

By implementing this legislation we will ensure that Yukon investors and consumers have the same protection and opportunities as those in other Canadian jurisdictions.

The Yukon government is committed to providing an environment for investment in business enterprise that balances consumer protection with economic opportunity. The proposed amendment, like those being made in the related and almost completed business legislation reform project, is part of our ongoing commitment to grow Yukon’s economy and promote small business trade and investment.

I do look forward to receiving comments and input from the members opposite.

Mr. Tredger: I will be the only one speaking on behalf of the Official Opposition on Bill No. 43, *Act to Amend the Securities Act*. We understand this bill is a step in a national harmonization plan around securities and will enable the Yukon to implement national standards surrounding securities. It will allow for the regulation of credit rating agencies, the regulation of auditor oversight bodies and the regulation and potential improvement of disclosure requirements. Credit agencies and their decisions to downgrade bonds have had and will continue to have a huge impact on national and subnational economies, and therefore, on the ability of public governments to serve their citizens. The move to provide a greater role for public government in how they operate is good.

We don’t have any issues with these amendments. They’re designed to improve the functioning of the securities system

and enable Yukon to adopt national standards. But let’s be clear: these changes are minor tweaks, essentially, to protect the interest of investors.

There was an interview on the CBC the other day, discussing the issue of financial literacy. The federal government has talked more about Canadians taking on more and more debt and that Canadians need skills to manage their money. Some of this financial literacy talk sounds like blaming the victim. They don’t talk about the fact that, as debt has grown, so too have other factors changed. I’m talking about how many jobs do not come with benefits and good pensions. I’m talking about employment — people having to work two jobs to pay the bills. I’m talking about students graduating with tens of thousands of dollars in debt as tuition fees have skyrocketed, as well as the rising cost of homes and the ability to obtain a mortgage.

As our collective standard of living has essentially dropped in this country over 20 years, Canadians have taken on more debt to keep afloat. Fewer jobs with a pension means Canadians have to invest in RRSPs and are personally on the hook for their retirement. The world economic system, which was near collapse and is still vulnerable, is built on a foundation of finance and debt. Let’s be clear, these changes are minor tweaks, essentially to protect the interest of investors. Sure we need minor tweaks, but we also need to think deeply about whom our economic system works for and the growing number of Canadians who are on the outside looking in.

Hon. Mr. Cathers: I’ll rise briefly in speaking to this while giving an opportunity to find out if perhaps the member of the Third Party or the Independent member wishes to speak to this legislation.

What I would note is just a point in consideration of the comments from the NDP member who just spoke — in fact some of these changes that have been made as a result of national initiatives are not insignificant in terms of the accounting changes and the costs, which businesses have to take on in moving to the accounting system. It is a part, of course, of a national initiative involving the provincial governments, the territorial governments, and the federal government, all aimed at further strengthening Canada’s regulatory system around financial regulations.

As members will recall — I’m sure you’ll recall, Mr. Speaker — in fact, Canada has been recognized around the world for our financial regulations. The head of the International Monetary Fund was recently publicly lauding Canada’s fiscal management and economic models as a model for the world and was very complimentary toward our financial regulatory decisions and the actions that have been taken by the federal government as well, in terms of reducing debt and taking additional actions in areas such as some of the changes they’ve made around rules for mortgages that have been made, a stage at a time, in the interest of trying to reduce the amount to which consumers may be overextended in borrowing money too cheaply for a home.

As interest rates go up over time, as they are likely to do considering our long recent period of very low interest rates, to have people who have borrowed money and then find them-

selves in a financial situation where they can no longer meet the payments and perhaps the value of their home goes down because of a crash in the housing market is, as we should not forget, a major part of what caused world economic problems — in particular in the United States, with the best of intentions made by governments in the U.S. around making it easier for people to borrow money and buy homes, that also led to a housing bubble. People were overextended, the housing market crashed and homes were worth much less than what they purchased them for, less than what they currently owed on the mortgage.

People in really very disturbingly high numbers in the United States were walking away from houses and walking away from their mortgages because the equity in their house and the market value of their house was less than what they owed the bank. So that is certainly not something that we would want to see here.

Again, noting that I look forward to hearing comments from the Third Party and the Independent member on this legislation — hearing their thoughts on it — again, I would point out that this legislation is a positive step. It's something that Yukon needs to do to continue to have the harmonized arrangement of security regulations that has been part of the national initiative aimed at this — what I believe is called the "passport system" — that requires all jurisdictions to work very closely together in ensuring that our financial regulations around matters such as securities are harmonized and harmonious and do not lead to gaps or issues in government as regulators, leaving a situation open to potential misuse and potential problems. Again, this is important for Canada, nationally and internationally, to maintain our sound structure, to continue to be a leader in responsible regulation of financial markets and securities. It's important for investment. It's also very fundamentally important for individual citizens and for society as a whole, because each of us — each and every one of us who buys a home and those who rent homes — however involved in the housing market, can be very dramatically affected by a crash in the housing market. If people are put in a situation where they are no longer able to pay the mortgage on their home, there are certainly few things that are more a blow financially for a family than to see that type of situation occur.

Another element that is important to all of this that we need to recognize, both in the Yukon and in Canada, is that coupled with strong rules, it's important to have a strong economy that provides opportunities for people — opportunities for jobs, opportunities for employment and the ability for people to have a level of confidence when they're choosing to make investments like buying a house or buying securities, making investments in companies, et cetera, because, of course, most people, both directly and indirectly, have a stake in what happens within the securities market and the financial regulation — whether it be through a retirement plan; whether it's personal, corporate or government; whether it be through investments through mutual funds, RRSPs, et cetera.

Of course, even those who do not have investments, because of the involvement of banks in that area, most people are

more affected than they may realize by what happens in the regulation of financial markets and the regulation of securities.

It looks like the Member for Klondike, from the Third Party, may be interested in providing his comments on this, and I look forward to hearing from him.

Hon. Ms. Taylor: I would like to thank the Official Opposition for their comments and for the members' support of this particular bill before us. As I referenced earlier, the respective provinces and territories are making changes to their legislation to provide for the authority to regulate these matters through the national instruments that have been drafted.

The bill under review today is really to incorporate these nationally agreed upon changes to the Yukon *Securities Act*, and to correct a number of housekeeping matters as well in the legislation. As the Member for Lake Laberge just referred to, all the participating provinces and territories are part of this national framework, and we are continuing to improve upon the disclosure requirements and following suit with the rest of the country, keeping in a competitive manner.

That said, I will conclude my remarks and carry forward. Thank you, again.

Motion for second reading of Bill No. 43 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

Deputy Chair (Mr. Hassard): Committee of the Whole will now come to order.

The matter before the Committee is Bill No. 43, *Act to Amend the Securities Act*. We will take a brief recess at this time — 15 minutes.

Recess

Chair (Ms. McLeod): Committee of the Whole will now come to order.

Bill No. 43: *Act to Amend the Securities Act*

Chair: The matter before the Committee is Bill No. 43, *Act to Amend the Securities Act*.

Hon. Ms. Taylor: Madam Chair, I am pleased to rise again to speak to Bill No. 43, *Act to Amend the Securities Act*.

The bill before members today is part of the Yukon government's participation in the Canada-wide harmonization of securities legislation. As I referenced in my earlier remarks in second reading, all provinces and territories since 2004 have cooperated through the passport system of securities regulation harmonization to make sure that securities are regulated similarly nationwide.

The goal of the passport system is for every province and territory to have a similar set of rules for securities so that business is not slowed down by the red tape of 13 different sets of security rules. It also provides Yukoners with the same investment opportunities and protection as the rest of the country. We anticipate that the amendments brought forward today will be followed on a regular basis by regular changes in order for Yukon to stay current.

As I referred to before, the amendments before members include changes in the regulation on credit rating organizations; recognizing bodies that oversee auditors of securities issuers; ensuring mandatory disclosure requirements for products such as mutual funds; updating accounting, auditing, and terminology; and appointing, where indeed required, a deputy superintendent of securities.

Most of the details of the administration and implementation changes have been set out in the national instruments. These are regulatory documents issued by the Canadian Securities Administrators organization, of which Yukon and other provinces and territories are active participants. National instruments are currently approved and made legally binding by the Minister of Community Services after a review, public posting and recommendation by the superintendent of securities.

All provinces and territories are making changes to their legislation, as I noted earlier, to provide the authority to regulate these matters through the national instruments that have been drafted.

The bill under review today will incorporate nationally agreed-upon changes to the Yukon *Securities Act* and, again, correct a number of housekeeping matters in the legislation.

I will certainly look forward to any comments or any questions from the members opposite. I thank the members again for their unequivocal support.

Mr. Barr: I just have a couple of questions. Hopefully we can get through this and move on. I would just like to ask: What is the cost of implementing these amendments? I understand that there's a new position for the deputy superintendent, and I was wondering when that position will be filled.

Hon. Ms. Taylor: Sorry if my remarks earlier were not detailed enough. When it comes to the deputy superintendent, it's basically to ensure that when the superintendent is out of the territory or unable to tend to his or her affairs within the department, there is another individual acting in his or her stead. So it is within existing resources. No new positions are coming to fruition — i.e. a new position of deputy. It's a matter of placing that administrative title to an individual who is already with the department — so providing that added flexibility in the absence of the superintendent.

So there are no additional costs for implementation of the proposed amendments or any of these changes as they're all within the department currently, and housed within the budget that we're debating.

Mr. Barr: My apologies. My understanding from the briefing was that there would be a new hiring of a position — that's why I asked, but I understand now how that will work.

How will this bill improve the financial security of the average Yukoner when they invest their savings in mutual funds?

Hon. Ms. Taylor: As one can appreciate, this is a very highly technical, highly charged piece of legislation, as is all securities related legislation — at least for myself. In essence what these proposed amendments really are all about are providing that additional disclosure, so that within the bill there is reference to making additional mandatory disclosure requirements which include what we would coin as a fund-fact. This is really a document that would be, as I understand it, a user-friendly document that would be mandatory and is given to the investor before they actually buy a mutual fund. So again, it is putting it in layperson's terms in terms of what it is that you're purchasing.

Mr. Barr: Just one last question — I know it's perhaps not the place to discuss in the context of this amendment, but does this government have any plans to bring forward a campaign for the general public or in the schools on financial literacy? It's an essential life skill for youth and adults to know how to manage money.

Hon. Ms. Taylor: I'd like to thank the member opposite for his question and his observations on financial literacy. Through the Canadian securities regulators — as I understand, which Yukon is part of, as are provinces and territories — we have worked and will continue to work on investor education. Of course, we're part of that specific working group that will come up with that user-friendly information that is applicable to consumers. It's certainly something that we can take a look at that would precipitate a discussion with the Minister of Education and the partners in Education. There's a tremendous amount of curricula already within the schools, but yes, we certainly will take that into consideration.

I think the main thing is that when we do have that information in hand that it be made available to consumers and to investors alike and ensure that it's user-friendly, that it is literate to each and every one of us, at whatever a level we may be on, and that we continue to be a part of the information-gathering and distribution of this information on the national level and within the provinces and territories.

Mr. Barr: I would just like to thank the minister for bringing this forward and the hard work of Community Services officials, and their ongoing hard work that will be happening as a result of these amendments.

Chair: Is there any further general debate? If not, we will proceed, clause by clause.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Clause 4

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

Clause 6 agreed to

On Clause 7
Clause 7 agreed to
On Clause 8
Clause 8 agreed to
On Clause 9
Clause 9 agreed to
On Clause 10
Clause 10 agreed to
On Clause 11
Clause 11 agreed to
On Clause 12
Clause 12 agreed to
On Clause 13
Clause 13 agreed to
On Clause 14
Clause 14 agreed to
On Clause 15
Clause 15 agreed to
On Clause 16
Clause 16 agreed to
On Clause 17
Clause 17 agreed to
On Clause 18
Clause 18 agreed to
On Clause 19
Clause 19 agreed to
On Clause 20
Clause 20 agreed to
On Clause 21
Clause 21 agreed to
On Clause 22
Clause 22 agreed to
On Clause 23
Clause 23 agreed to
On Clause 24
Clause 24 agreed to
On Clause 25
Clause 25 agreed to
On Clause 26
Clause 26 agreed to
On Clause 27
Clause 27 agreed to
On Title
Title agreed to

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. 43, *Act to Amend the Securities Act*, and directed me to report the bill without amendment.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Cathers: 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. Monday.

The House adjourned at 5:23 p.m.

The following document was filed November 1, 2012

33-1-24

Old Crow Community Service and Recreation Centre: documents related to (Elias)

Hon. Ms. Taylor: Madam Chair, I move that Bill No. 43, *Act to Amend the Securities Act*, be reported without amendment.

Chair: It has been moved by Ms. Taylor that Bill No. 43, *Act to Amend the Securities Act*, be reported without amendment.

Motion agreed to

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

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