

**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, December 13, 2012 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

Speaker: We will proceed with the Order Paper.

TRIBUTES

In recognition of the staff of Legislative Assembly Office and Hansard

Speaker: Before I turn tributes over to the floor, on behalf of all members of this House, I would like to thank *Hansard* staff for the fine job of recording our proceedings and correcting our small verbal stumbles, as well as the pages, who have served members with exceptional commitment and lastly, the Clerk and Deputy Clerk, Helen, Sue and Dawn, our legislative staff, who advised us and guided us throughout this year. To all of you, a heartfelt thank you and a Merry Christmas.

Applause

Speaker: Are there any further tributes?

In remembrance of Willie Gordon

Mr. Silver: I rise on behalf of the Legislative Assembly to pay tribute to the late Willie Gordon. It has been a rough couple of years for musicians in Dawson City. We have seen the passing of some great performers, like Aylie Sparks and Wendy Perry and Gord Polichek, and the community is still reeling from these losses.

Today I tribute the late, great Willie “the Fiddle” Gordon. I remember my first days in Dawson. I arrived in the summer, and I knew pretty much right away that I could live there — friendly folks, an excellent school staff and amazing students. The winter hit, and then half the town closed up. With the hustle and bustle of the summer crowd dissipated and the winter set in, the true character of Dawson is exposed. The heart and soul of what makes this town so special is now unavoidable.

It was November when I realized that the band at “The Pit” was not just held over; they were here to stay. I couldn’t believe that a band of that calibre was the house band in such a remote part of the world — that they could have played anywhere but they chose to make the Westminster lounge their home. Of course, I’m speaking of the legendary Pointer Brothers. I used to get angry when people tried to talk to me during sets. I was mesmerized. The level of talent on that stage was absolutely top-notch. Lead man Gil Benoit, master of the steel strings, with the fastest hands I’ve ever seen; Richard Halliday steadily leading the beat on the drums, keeping order of blistering solos in check like an orchestra conductor; “Harmonica” George McConkey, arguably one of the top harmonica players in Canada; the late great Gord “the Walrus” Polichek on guitar, blues master and musical genius, mentor; and last, but certainly not least, Willie Gordon on fiddle.

If I had any reservations about staying in Dawson, the Pointer Brothers definitely tipped the scales toward staying. A couple of years later, I had the opportunity to join the band. Richard moved down south for a spell and for two years, on every weekend, I shared the stage with these gentlemen and learned — or, “cut my teeth”, as they say in the industry — with the finest musicians — musical educators — I’ve ever known.

It was during that time that I developed a special bond with Willie Gordon, or Willie Government, as he is known to his friends. Willie was a great player; on the fiddle, his tone and timbre were perfect. I have yet to hear anyone play *Orange Blossom Special* as fast or as proficiently as Willie G. On the bass — a drummer’s friend — he never missed a beat. There is an expression in music that when things are really cooking on a stage, it almost seems as if the whole band is on a train track and it would be harder to derail that train than it would be to stay rolling forward. This is called being “in the pocket”. You could play in bands for years, here and there in your life, and never, ever, actually really experience the pocket. Well, with Willie Gordon on bass, it was guaranteed — night after night, set after set, song after song.

Willie also sang. The house would lose its mind when Willie would get up to the stage for a song about an inflatable date who — and I quote: “never has a headache or bad breath when we’re kissing.” I will spare the House the rest of these lyrics, but I wish people could see the happiness on Willie’s face after songs like this, or after any of his jigs and reels. His goal was always to bring joy to the audience, and he did that. Nobody did a better job at that than Willie Gordon. That song was a tribute to a sense of humour.

We travelled to Vancouver as part of the Folk Alliance showcase one year. Now, this is an international event. This particular year, it was held in Vancouver. The Pointer Brothers, along with the Undertakin’ Daddies, were selected to represent the Yukon. Now, the Member for Mount Lorne-Southern Lakes was the frontman for the Undertakin’ Daddies, along with Bob Hamilton, Nathan Tinkham and, on the harmonica, George McConkey. They usually performed a more acoustic show, but they electrified audiences at the Croatian Centre with the Pointer Brothers sharing the stage.

It was in between set breaks that Willie Gordon, Gil, Gord and I went for a walk to see the spectacle of the Folk Alliance. There was a band on every street in Granville. Hotels had, in every single room, another band. It was an international event, and it was packed. It was a sight to see. As we were walking, you can imagine the small town boys in the big city of Vancouver. Willie smiled, looked over to me and said, “Well, you have Gil dressed as a cowboy. Gordon is in Carharts and he looks like a construction worker. I’m an Indian. You look like a cop. Let’s tell everyone we’re the Village People.”

Willie was also a great soccer player. He was one of the original DJs on CBC’s the “Lovin’, Hurtin’, Gamblin’, Travelin’, Drinkin’, Truck Drivin’ and Mom Show”.

He was an ambassador during the reenactment of the Dawson Nugget’s hockey trip to Ottawa to play against the Ottawa

Silver Seven, and he also played the fiddle for *O Canada* on centre ice for that game.

In closing, I just want to say that this tribute is not done with a heavy heart. This tribute is to a wonderful person. When Willy passed, there was great sadness in our town, and it was echoed throughout the musical community. We lost a pioneer in Yukon music that day, but I was not sad. My soul was calm, for I knew that Willy was finally at peace and that he was once again reunited with his love, Nancy Van Fleet Gordon. Thank you, Mr. Speaker.

Applause

In recognition of Yukon Quest's 30th anniversary

Hon. Mr. Nixon: Mr. Speaker, I rise today on behalf of all Members of the Legislative Assembly to pay tribute to the upcoming 30th running of the Yukon Quest International Sled Dog race. This 30th anniversary celebration is a hallmark milestone in the history of the race and one that all Yukoners can be proud of.

Since the first running in 1983, many individuals and organizations have supported the race. Together we celebrate the achievements and the hard work accomplished by those who have worked hard to make this race an iconic winter event, which showcases Yukon's legacy of sled dog mushing.

I understand that my Yukon Party caucus colleague, the Member for Lake Laberge's sister ran in the Quest for the first time in 1989 at the age of 18 and is still one of the youngest people who have ever run the Quest.

We thank the Quest board, president Joost van der Putten, the staff and the Quest board members who provide organizational leadership. In fact, it's a honour for me to report that Joost, the president of Yukon Quest, has just received notification, and in the coming weeks he will be presented with the Diamond Jubilee Award from MP Ryan Leef on behalf of the Queen for his hard work and dedication to move the Quest forward.

We also acknowledge the dedication of the many volunteers, sponsors, the vets, race officials, and Yukon and community organizers. Of course the race would not happen without the mushers, the dog handlers and of course the dogs. It is their willingness to embrace personal challenge that makes the Quest such an exciting event.

In September, I had the pleasure of announcing additional funding to support Yukon Quest for ongoing pre-race celebrations happening now during the next few weeks and leading up to the 2013 race. As part of that celebration on Thursday, December 13, MacBride Museum is hosting a visual tribute to the race — and that is this evening. The exhibit will feature poster images depicting the Quest vision. These images capture the essence of the race, along with information on the origin of dog mushing as a sport in the territory. From its humble beginnings 30 years ago, very few events highlight the romance of the north like the Yukon Quest. This northern spirit is reflected in the men and women who take part in the race. We see the love of their dogs through canine care and marvel at the skill it takes to race 1,000 miles across a harsh winter landscape.

For Yukon and Alaska, this special race and special relationship reflects our cross-border friendship and the recognition

that our own success is tied to our neighbours' good fortune. In addition to the cultural significance of the race, assisting the Yukon Quest with funding support is an investment in Yukon's winter tourism product. Many media and trade familiarization tours are scheduled around the race, which offers opportunities to showcase Yukon winter travel and vacation experiences across the globe.

Since 1999, the Department of Tourism and Culture has provided over \$2.3 million to the Yukon Quest Canada organization in support of the program development, cooperative marketing, foreign media familiarization tours, race administration and community outreach. The 30th running of the Yukon Quest International Sled Dog Race begins at Shipyards Park in Whitehorse on Saturday, February 2, 2013. It's a chance for all of us to be there at the start line to wish our favourite musher safe travels and to share in the excitement of the dogs as they ready themselves for their 1,000-mile journey.

We wish good luck to all of the mushers and their dogs and safe travels during their northern adventure — a true accomplishment marking the 30th running of the Yukon Quest International Sled Dog Race.

I will mention again that there is an exhibit opening this evening at MacBride Museum and that starts at 5:00 p.m. I welcome everyone to attend. I'd also ask for the indulgence of all Members of the Legislative Assembly to join me in welcoming staff and directors of the Yukon Quest to the gallery: Joost van der Putten, the president; Rolf Schmitt, the vice-president; Clarke LaPrairie, the treasurer; and Marie-Sylvestre Belanger, the executive director. Welcome all.

Applause

In recognition of staff of the Department of Highways and Public Works

Hon. Mr. Istchenko: I am pleased to rise today to pay tribute to the quick response and hard work of employees at the Department of Highways and Public Works through this 2012 year. With already a few weeks of cold weather under our belts, Yukoners are already prepared for what winter is throwing us this year. There are many in our department who are working to keep our buildings, highways and airports safe and operational.

Highways and Public Works is one of the largest and most diverse departments in the Yukon government, with more than 800 employees working to keep Yukon government's infrastructure humming. Much of the hard work goes unnoticed unless crisis strikes. This past June, for instance, my department worked tirelessly to reopen multiple sections of our highways that had simultaneously washed out. Our crews were on the job until the highways were reopened. Additionally, many of us are not even aware of the considerable work that it takes to keep our government offices functioning so that Yukon government can continue to provide a high level of service to the public. Our team of Highways and Public Works does a great job of keeping our buildings, computers, and phones operational and developing new ways of doing our business to improve our operations.

We work hard to provide services that other Yukon government departments rely on, such as Queen's Printer, fleet

vehicle, air travel and contract services. Whether it be highway systems, buildings or technology, it takes a considerable amount of time and commitment to maintain Yukon government operations, and I appreciate the efforts of the department staff.

As someone who drives the highways of our territory on a regular basis, I see the evidence of the dedication and commitment of our highway crews every day. As you are driving around the territory this holiday season, please take a moment to think about the work of our crews who ensure that you can get to where you want to go. I would personally like to offer my appreciation to all the staff members who work sometimes around the clock to ensure that the operations of this department are carried out professionally and effectively. Thank you for your efforts and have a safe and happy holiday season, staff.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Mr. Silver: With your indulgence, I'd like the gallery and MLAs to help me welcome a constituent of mine, Roberta Humberstone.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Kent: Pursuant to section 5(h) of the *Education Act*, I'm tabling the annual report of the Yukon Department of Education. This Yukon Education publication reports on the state of education in Yukon for the 2011-12 school year. I would also like to take this opportunity to acknowledge the 5,000 students plus in the 28 Yukon schools, the Individual Learning Centre, the Montessori private school or those with home learning arrangements, and of course, those at Yukon College or taking their education at institutes of higher learning, whom I know work hard every day to achieve their best and reach their own personal academic goals.

I would also like to quickly recognize and thank all the people who work and volunteer in these schools. It's definitely their efforts that make a difference in the lives of those students we're all trying to support.

Hon. Mr. Cathers: I have a couple of documents for tabling today. First, I'd like to table a February 22, 2011 press release from the then Minister of Energy, Mines and Resources, Patrick Rouble, entitled "Yukon government seeks modification to Peel regional plan". I also have for tabling an excerpt from the resource assessment report done by the Peel Watershed Planning Commission, identifying the total number of guided trips for wilderness tourism in the Peel watershed, the Snake River and the Wind River. There are not references to the other rivers for ATIPP reasons. If there are fewer than three operators, they are not reported.

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Government of Canada to not ratify the *Canada-China Foreign Investment Promotion and Protection Agreement* in order to allow a broad range of experts and stakeholders to engage in an open and transparent study and debate, and to propose amendments regarding the impact of the agreement on the:

- (1) legislative jurisdiction of subnational governments;
- (2) judicial sovereignty of Canada; and
- (3) national interest of Canada.

I also give notice of the following motion:

THAT this House urges the Yukon government to provide support to extended families caring for children that:

- (1) establishes a special category of alternative care other than formal foster care that allows for a range of financial, social, training and counselling supports for caregivers;
- (2) recognizes the economic, social and preventive role of informal kinship care with financial supports not dependent on needs assessment, especially for pensioned grandparents and single kinship caregivers;
- (3) provides flexible, responsive and generous respite programs available on request for formal and informal kinship caregivers;
- (4) provides generous financial support including legal aid to assist with legal applications for custody, guardianship and adoption, especially when children have remained in the care of kin for extended periods;
- (5) provides childcare, financial, training and transportation support for counselling or for kinship caregiver self-support groups;
- (6) provides workshops and training in child rearing and current caregiving issues;
- (7) provides cross-cultural training for social workers dealing with First Nations people;
- (8) directs a section of the Family Law Information Centre to work with grandparents and extended families caregiving children; and
- (9) provides a telephone information system for advice and support for grandparents and extended families caregiving children.

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

THAT the Standing Committee on Rules, Elections and Privileges propose amendments to the Standing Orders to remove Standing Order 76, also known as the "guillotine clause", that allows government bills to be passed on the final day of a

sitting of the Legislative Assembly without having received full debate.

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

THAT this House urges the Government of Canada to support private members' Bill C-323, *An Act to Amend the Federal Courts Act (International Promotion and Protection of Human Rights)*, standing in the name of Peter Julian, to enable the federal court to hear claims for a host of universal human rights violations, such as genocide and torture, as well as activities that significantly destroy the environment or violate key international labour rights.

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

THAT this House urges all members of the opposition to represent the public interests and vote unanimously against Bill No. 48, *Act to Amend the Access to Information and Protection of Privacy Act*, based on the premise that there was no public consultation and no briefings provided to opposition members of this Assembly.

Applause

Speaker: Is there a statement by a minister?

Speaker's statement

Speaker: Before we go on to Question Period, I'd like to remind everybody in the gallery that they are here to listen, not to participate. It's a timed event, so we have a limited amount of time. Members need to be able to get in questions and responses. Thank you. We will move on.

This brings us to Question Period.

QUESTION PERIOD

Question re: Peel watershed land use plan

Mr. Tredger: Yukoners from all walks of life participated in good faith in the Peel watershed land use planning process. First Nations participated in good faith; thousands of hours and over \$1 million was spent to arrive at a final recommended *Peel Watershed Regional Land Use Plan*. People engaged in consultation, cooperation and compromise. The Yukon Party government has unilaterally abandoned the process and rewritten the final plan in violation of final agreements. This ignores the voices of thousands of Yukon people who participated in the process. It ignores Yukon First Nation governments.

Will the minister follow the process outlined in First Nations final agreements and consult solely on the final recommended *Peel Watershed Regional Land Use Plan* as was written?

Hon. Mr. Cathers: As I reminded the member opposite yesterday, I pointed to a report jointly commissioned by CPAWS, YCS and the Wilderness Tourism Association in 2010 — a report on public consultation. I have to again point out, the NDP thinks three percent of the population equals a

majority. The majority of Yukoners did not participate in the Peel commission's consultation.

According to the 2010 report commissioned by CPAWS, Yukon Conservation Society and wilderness tourism, here are the numbers: 383 people commented, plus a petition, for a combined total of 1,365 people. Fewer than three percent of Yukoners indicated a position in support of the so-called 80-percent or more protection. Compared to consultations like the cellphone legislation and the off-road vehicle committee consultations, consultations on the commission's recommended plan have a lot fewer people participate — in fact roughly half the number of those who participated in the off-road vehicle committee's work.

Three percent is not a majority. The Yukon government has followed the process, and we will continue to do so and, unlike the NDP, we are interested in the opinion of all Yukoners and encourage them to visit www.peelconsultation.ca and provide their comments.

Speaker's statement

Speaker: I would like to remind the visitors in the gallery to please not interfere. The time is limited for this period. It is 30 minutes long and no more.

Mr. Tredger: The minister is trying hard to undermine the good work of the people of the Yukon and the Peel planning commission, but Yukoners aren't buying it. Affected First Nations do not agree —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Cathers: The member is not only factually incorrect; he just imputed a motive contrary to Standing Order 19(g) in suggesting the government — and me particularly — was trying to undermine the work of Yukoners. I think the member should be asked to retract that.

Speaker: Member for Riverdale South, on the point of order.

Ms. Stick: On the point of order, I just think it's a dispute between members.

Speaker's ruling

Speaker: It's borderline. I would like to look at the Blues, but at this point in time, it's a dispute between members.

Mr. Tredger: Affected Yukon First Nations do not agree with the government's twisting of the final agreement process. This side of the House does not agree with the government's approach. The public does not agree, and industry has expressed concerns and doubts. Now the Yukon Land Use Planning Council has said the government's sell job of the radically amended plan is contrary to the final agreements and is doing irreparable harm to land use planning in the Yukon.

I quote: "The credibility of doing regional planning is now suspect."

Why is this government so determined to undermine the land use planning and economic certainty by creating confrontation, division and expensive court battles when any good government would work cooperatively to build a stronger and more sustainable future for our children?

Hon. Mr. Cathers: I would point out that it is the NDP who is proceeding in a divisive manner. Some might even re-name them the “Normally Divisive Party”. I would point out again to the member opposite — we know the NDP has a problem with math. The NDP thinks three percent of the population equals a majority. The majority of Yukoners did not participate in the Peel commission’s consultations. According to the 2010 report on public consultation, commissioned by Canadian Parks and Wilderness Society, Yukon Conservation Society and Wilderness Tourism Association Yukon, here are the numbers: 383 people commented, plus a petition, for a combined total of 1,365 people on either side of the issue. Fewer than three percent of Yukoners indicated a position in support of the so-called 80 percent or more protection. Compared to consultations like the cellphone legislation and off-road vehicle consultation done by the select committee, consultation on the commission’s recommended plan saw a lot less people participate — in fact, roughly half the number of the people who participated in the off-road vehicles consultation. Three percent of the Yukon population is not a majority.

We appreciate the opinions of all Yukoners and appreciate that some are very passionate about this issue on all sides of it, including some of the people present in the gallery. We appreciate — and respect their opinion and encourage them to participate, and all Yukoners to participate, thoughtfully and constructively in the remaining stages of public consultation: www.peelconsultation.ca.

Mr. Tredger: Mr. Speaker, the Peel is a jewel in the Yukon. We have an opportunity to support economic diversification, sustainable development and to preserve pristine wilderness to bring this generation and future generations together. Instead, we are faced with division, costly court battles and economic uncertainty. Violating final agreements, pushing First Nation governments and all Yukoners to court does nothing good for our economy. It is unnecessary and inexcusable. This Yukon Party government is abandoning land use planning and driving a wedge between the planning process and all Yukon people.

Will this government now show some real leadership and follow what the final agreements clearly require and withdraw their backdoor attempt to unilaterally rewrite the Peel land use plan?

Hon. Mr. Cathers: What I would again point out to the member — earlier today in Question Period, I tabled a copy of the Peel commission’s report on the number of wilderness tourism operators in the area because the members consistently overstate the facts.

Now, this government appreciates the interest of everyone operating in the area, including the three operators who guided trips on the Snake River in 2000, with a combined total of 19 clients; the three operators who guided trips on the Snake River in 2006, with a combined total of 20 clients; the three operators

who guided trips on the Wind River in 2001, for a combined total of 14 clients; and the three operators who guided trips on the Wind River in 2005, for a combined total of 15 clients. As I mentioned, the numbers for Bonnet Plume and other rivers were at that time too low to be released, because if there are fewer than three operators, they can’t be released under ATIPP.

So, again, I would point out to remind the member, as I tabled earlier today, the February 22 press release indicating the government intended to seek modifications. I’ve reminded members of the Premier’s statement at the leaders’ forum during the 2011 election campaign and the very strong criticisms of the plan, including the characterization about the financial costs of implementing the recommended plan and characterizing it as picking winners and losers. We are continuing to follow the process; we are continuing to follow our commitments in the 2011 election campaign.

Question re: Access to Information and Protection of Privacy Act amendments

Ms. Stick: The Minister of Highways and Public Works likes to say the proposed changes to the *Access to Information and Protection of Privacy Act* are meant to bring Yukon in line with the majority of other Canadian jurisdictions. On November 29, the minister said in this House — and I quote: “These amendments will bring the Yukon in line with most other Canadian jurisdictions.”

The minister said essentially the same — three other times in November and as recently as December 3. I have an internal Yukon government document for tabling, accessed under the law this government is trying to gut, that shows many of the proposed changes are not in place in other jurisdictions. How does the minister explain his repeated claim that these changes will bring Yukon in line with the majority of other Canadian jurisdictions, when a government document shows this is not the case?

Hon. Mr. Istchenko: I just want to say that I had responded to some e-mails I had received as the Minister of Highways and Public Works on this issue. I sent that out this morning to the three concerned Yukoners about ATIPP who sent something to me. I understand there’s some concern across the way there.

I’ll read to you what I sent to them: “The purpose of these amendments is to ensure that confidentiality required for effective government decision-making is properly balanced with public’s right to access information. This provision helps ensure ministers receive all the forthright advice they require to make good decisions on behalf of all Yukoners, which is the job that they were elected to do — to represent the interest of the public and develop and maintain good public policy.” I want Yukoners to know that these amendments, like I said before, are consistent with other legislation in Canada.

When Cabinet confidences are not upheld and incomplete drafts and preliminary briefings are thrown into the public sphere, political crowing and scaremongering often ensues.

By better defining the perimeters of the act with this amendment, Cabinet confidences will be upheld and policy advisors will be able to provide the frank, non-partisan advice and recommendations needed for effective governance.

It is imperative that ATIPP be allowed to operate as it was originally intended, allowing the public-wide access to government information and records with only limited exclusions to information that may comprise personal privacy.

Speaker's statement

Speaker: If the visitors in the gallery must feel it necessary to draw attention to yourselves, do you not understand that this is taking away from the debate that is going on in this Question Period right now? I would ask the member in the gallery who insists on remaining standing to please leave. Your presence here is no longer required.

Ms. Stick: Thank you, Mr. Speaker. It's disappointing the minister refuses to answer the question. Contrary to the minister's claims, only four other Canadian jurisdictions block access to records of deliberations and decisions of Cabinet. Three block access to a record prepared to brief a minister, requests for direction, contents of incomplete research and audit reports.

Only two block access to opinions from staff or other personnel on positions, plans, procedures, criteria or instructions. Only one blocks opinions made by an agency under its jurisdiction, and only one blocks background information, analysis or problems prepared for submission to the Executive Council or its committees.

Will the minister acknowledge that these changes to the *Access to Information and Protection of Privacy Act* will make the Yukon more secretive and less open than other jurisdictions?

Hon. Mr. Istchenko: No, Mr. Speaker.

Ms. Stick: What a shame. Shameful, though perhaps not surprising, since the minister's words have been proven incorrect by a document from his own government. Let's not forget his comments on the positions of the Information and Privacy Commissioner — also incorrect. It's a sad day for democracy. Becoming the most secretive government in Canada is nothing to celebrate. It's not surprising that a Yukon Party government would do this, although it's outrageous that the minister wouldn't be more forthright with Yukoners.

In 2011, the Premier said — quote: "I believe in and endorse the concept of ministerial responsibility, which is of fundamental importance to the proper functioning of our democracy."

It's time for the Minister of Highways and Public Works to take responsibility for his conduct on this matter.

Will he do the honourable thing and withdraw this bill and resign?

Hon. Mr. Istchenko: I said before that there are other Canadian jurisdictions that already have aspects of these provisions in their legislation, including the Northwest Territories, Nunavut, British Columbia, Saskatchewan, Manitoba, Ontario, Nova Scotia and Prince Edward Island.

When Cabinet confidences are not upheld and incomplete drafts or preliminary briefings are thrown into the public sphere, political crowing and scaremongering often occurs. For ATIPP to be allowed to operate as it was originally intended, allowing the public wide access to government information and

records will only limit exclusions to information that may be comprised of personal privacy or prevent the development of sound public policy.

Question re: Budget spending

Mr. Silver: On this final day of the fall sitting, I have questions for the Minister of Finance on looking ahead to next spring's main budget. There are a number of items I would like to see in the budget when we reconvene in February or March of next year. I'll start in my home community of Dawson where the Yukon Party has a promise on the books that is supposed to be constructed next year.

On March 15, the Premier laid out plans for a \$6-million replacement of McDonald Lodge with a new facility being attached to the new Dawson City hospital. Can the Minister of Finance confirm this commitment remains on track and that we will see it in the main budget next spring?

Hon. Mr. Pasloski: This government will continue to move forward to ensure that we deliver to Yukoners what, in fact, during the campaign we said that we would do. I'm proud to really acknowledge the great number of accomplishments that this government has already done in one short year. As well as having a platform through the campaign, I have given to each minister a mandate letter which is really their instructions to ensure that they deliver on those things that we committed to Yukoners through the election. We'll continue to work within all communities of Yukon to ensure that we can deliver on the priorities of all Yukoners and on those commitments that we made to all Yukoners.

Mr. Silver: It doesn't inspire a great deal of confidence in this government's ability to deliver on promises when the minister can't say whether a specific promise made only six months ago is going to be kept or not.

I have another question for the Minister of Finance about a capital project that I would like to see in the mains when we meet again in the spring.

One of the priorities of the Liberal caucus is to see Yukoners benefit from local employment opportunities. Earlier this fall, the government announced that it was endorsing a plan developed by Yukon College for a centre for northern innovation in mining. The college has presented a budget of \$30 million for the first six years of operations. One of the first items on the agenda for the centre is a mobile trades unit with a price tag of \$2 million. This is a project that will see Yukoners trained to work in jobs that are close to home.

Will we see funding for this project in the main budget and if so, how much?

Hon. Mr. Kent: I know the member opposite brought up this exact question earlier on in this sitting. At the time, I mentioned to him that currently we have contracted in partnership with Yukon College the executive director for the centre for northern innovation in mining. That person is working as we speak. There is also a governing council that has been established that includes a number of representatives, not only of the college and the Department of Education, but a number of industry representatives. That group is actually chaired by an industry representative.

What we're working on right now is looking to secure funding for that project. We're looking for funding partners, not only industry, but other levels of government. That work will continue and we look forward to moving forward with a plan that we're very proud to endorse on this side of the House, and it also has the endorsement of industry, which we're very excited about. It's matching training to real jobs for Yukoners. Yukoners are able to take advantage of Yukon opportunities; Canadians are able to take advantage of Canadian opportunities.

Mr. Silver: I asked the question again because I got the exact same answer: we're looking for money from the feds, but we're not committing to actual dollar values here in the Yukon.

The final item on my Christmas wish list is just down the road from here where we sit today, and that is a temporary gym for F.H. Collins Secondary School. The government has passed the buck to the building advisory committee for the fact that students will be without a gym for two and a half years. Everyone knows that the Government of Yukon has the final say and it should stop blaming parents and students and take responsibility for the decisions. More importantly, it should do the right thing and build a temporary gym.

Does the Minister of Finance think that concerns raised by parents and students are legitimate, and will we see funding for a temporary gym in the spring budget?

Hon. Mr. Kent: I know I have spoken about this project on the floor of the House thanks to questions raised by the opposition. This is the first opportunity that the Leader of the Third Party has asked a question about the F.H. Collins project during this session. What the Deputy Minister of Education and I heard at a public open house held at F.H. Collins — again, I know the Member for Mayo-Tatchun was in attendance at that, but the Member for Klondike wasn't in attendance at that open house — is that there is a lot of concern. Obviously there is concern. I've talked to students; I've talked to parents; I've talked to a number of members of that school community.

We're investigating the possibility of putting a temporary structure on-site for a gymnasium. It's going to be temporary. It's not going to be anything that's left on-site. We need to be fiscally responsible. We're investigating opportunities to partner with perhaps someone from the private sector or another department within government to ensure that once we're finished with that structure it is moved off-site to a new home.

So it's very much going to be a temporary structure if we're able to find something that fits within the almost \$56 million that we have dedicated to build this project, a new high school for F.H. Collins that everyone can be proud of. I know that we're very excited to move forward. We're committed to the project and I look forward to moving forward with that in the very near future.

Question re: Old Crow priorities

Mr. Elias: At the beginning of this sitting, I was very clear in outlining the priorities of my constituents. The Minister of Community Services stated inaccurately that I refused to recognize the investments that the government has already

made in Old Crow. I have on several occasions recognized them and expressed our community's gratitude publicly.

What the minister seems to refuse to recognize is that Old Crow continues to have critical needs that require the government's attention and commitment, like a residential subdivision in Old Crow. This is a clearly identified and communicated priority, but the government has so far failed to direct any of its much-hyped \$100-million land development budget to addressing it.

It is incumbent on any minister in the government to take the initiative and act on problems and priorities identified by communities. Will the minister take the initiative and direct funds toward the residential land development in Old Crow in the upcoming spring 2013-14 budget?

Hon. Ms. Taylor: As the member opposite knows full well, the Yukon government is very committed to working with every single community in the territory to address our critical infrastructure needs. When that comes to water, drinking water upgrades, waste-water treatment, road drainage or recreational improvements, the Yukon government is investing and will continue to invest.

When it comes to land development, we look forward to discussing with the Vuntut Gwitchin government their respective priorities. According to the member opposite, I have not received any formal correspondence from Vuntut Gwitchin government, but to be sure when we do engage with the government in the months to come we will be raising this issue with them and we will work with the Vuntut Gwitchin, as we do in every other community on the recreational, industrial, commercial and residential land development needs throughout the territory.

Mr. Elias: Correspondence and leadership is a two-way street.

Another identified need in Old Crow the government is well aware of is for a community recreation complex. The government's lack of commitment to this clearly identified and communicated community priority is baffling. A community recreation complex is all about health and wellness in a community. The Minister of Health and Social Services is promoting a wellness strategy, the pathways to wellness; however, the government seems unwilling to put its money where its mouth is.

As I've stated before, countless hours of volunteer effort and hundreds of thousands of dollars invested by the citizens themselves have brought this facility to the point of being built. Our community will do the work; all we need is a partner.

Is this government ready to recognize the need to further act on its wellness strategy and commit funds to the community of Old Crow's demonstrated need for a community recreation complex?

Hon. Ms. Taylor: The Yukon government is very supportive of community recreational and sport recreation activities. In this year's budget we have identified over \$10 million in support of recreation opportunities throughout the Yukon in every community. As I tried to articulate for the member opposite, we are working with the federal government

on continued joint investments through the Building Canada fund and other recreational funding mechanisms.

On the books right now we have a formal request from the community of Carcross for a new community house, a new community recreation centre. We have requests from the Village of Haines Junction, Old Crow and Faro. Again, we're working with Ross River to meet their recreation needs and we'll certainly continue to work with the community of Dawson and every other community throughout the territory to address their recreation needs.

We are continuing to invest in every community on their respective priorities. We're proud of our investments and we will continue to work with all partners to bring these to fruition.

Mr. Elias: I have publicly wished the minister well in her negotiations to find a successor funding program to the Building Canada fund.

The Premier has clearly stated that the Nutrition North Canada program is a huge problem for the citizens of Old Crow. It limits the selection of healthy foods with the opportunity to purchase from only one store. As the Premier has seen first-hand, Old Crow residents are forced to pay incredibly high prices for staple items that most Canadians take for granted as being affordable. The Premier has clearly expressed support for resolving this problem, and I thank him in advance for that. He has said this is a priority for him. He has said that he wants to help Old Crow crest the hill on this issue.

What are the next steps that the Premier will take to ensure that food returns to the realm of affordability and that the Nutrition North Canada program achieves its objectives for the citizens of Old Crow?

Hon. Mr. Pasloski: I'd like to first congratulate the Member for Vuntut Gwitchin for the tremendous amount of work he has done on this issue for a long time now. As he has stated, I too have seen the pricing in the store and, truly, the unacceptability of that. This government is committed to working with Vuntut Gwitchin and Canada to resolve the issues that are around this program. You know, quite honestly, I believe a lot of the issues with that program reside in the eastern Arctic. I think that we need to continue to work hard to find a way to work with our one community that isn't in the Nutrition North Canada program and to find the solutions that will work for that community to ensure that people don't have to spend such a tremendous amount of their money just to buy essentials — that they have money left over so that they can be involved in other recreational activities, for example, things that will provide better life experiences for their children. We are committed to continuing to work with the member opposite, the Vuntut Gwitchin First Nation and to work with Canada to find a resolution for this.

Question re: *Oil and Gas Act* amendments

Ms. Hanson: All Yukon people and First Nation governments want to see responsible and safe development of our natural resources. This includes oil and gas development. The Premier's Minister of Energy, Mines and Resources has made a vague commitment to engage the public in dialogue around the development of the oil and gas industry and of the specific use of fracking before any approvals are granted in north Yukon.

Will the Premier, as a clear demonstration of good faith, withdraw the amendments to the *Oil and Gas Act* and allow a full and open public consultation process to occur before any amendments are passed into law?

Hon. Mr. Cathers: I would remind the members and the Leader of the NDP, as she knows we've had significant debate on this topic, including the NDP Member for Mayo-Tatchun filibustering, not only the debate on a government motion but, in his own motion, spending about two hours and 20 minutes engaged in a rambling and repetitive —

Some Hon. Member: (Inaudible)

Point of order

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

Ms. White: Mr. Speaker, you tell us to treat each other as honourable. As per Standing Order 19(g), the minister is imputing false or unavowed motives to another member.

Speaker: I would ask the Member for Takhini-Kopper King to tell me exactly what you heard.

Ms. White: "Rambling", "filibustering", "repetitive".

Speaker's ruling

Speaker: I would say that it is a dispute between members.

Hon. Mr. Cathers: Again, as I've pointed out, in fact the changes to the *Oil and Gas Act* in many cases include the section — if memory serves, I believe it's section 5 of the act — that specifically is aimed at strengthening our provisions on upholding all owners of a disposition or oil and gas lease, even if they transfer that, to ensure that they all remain liable even if that lease changes hands. There are a number of areas that are necessary to strengthen our ability to responsibly manage those activities and of course we have consulted on everything except the simple enabling clause.

Ms. Hanson: In fact, the 2009 consultations on amendments to the *Oil and Gas Act* were held during the late summer, when many Yukoners are out on the land fishing, berry picking, camping and hunting. The world has changed since then with the expansion of fracking across North America and the Whitehorse Trough oil and gas disposition process. Yukon people are tuned in and they want their voices heard.

The Premier and his minister promised an open dialogue, yet seem intent on ramming through amendments to the *Oil and Gas Act* that would open the door to fracking in Yukon.

Will the minister confirm before this House that the government will not allow any fracking anywhere in Yukon, be it exploratory or production, until a public consultation process, which engages all Yukon people and Yukon First Nations governments, has been completed?

Hon. Mr. Pasloski: Yukon resources belong to all Yukon people. We feel it's very important that we treat all First Nations equally, and we will continue to consult and accommodate as we have, and in fact have exceeded those requirements for consultation. We have spent the last decade and millions of dollars trying to come to a consent agreement with the

Kaska on oil and gas in Southeast Yukon. It is time for us to move forward.

We will continue to work with the Kaska to come to an economic agreement. It is time that this government and all the leaders start to focus on the people to ensure that there are opportunities for jobs, for businesses and for training to allow people to share in the prosperity. I do also believe that through such a process, we'll also deal with some of the social problems that are out there.

As for consultation, Mr. Speaker, a motion was brought forward that also talked about consultation and dialogue with all Yukoners, but unfortunately, the NDP voted against it.

Ms. Hanson: Mr. Speaker, the Premier's assurances ring hollow. We are not just talking about the current generation of Yukoners; we are talking about the future. He is confusing the facts. He is also not addressing the issue about withdrawing and making sure there is no fracking anywhere in the territory. This government is squandering opportunities to engage in building consensus and to repair damaged relationships with Yukon people and First Nation governments. Instead, the government is leading us down a one-way path to economic uncertainty, to litigation, and is creating division in Yukon.

Will the Premier show real leadership and withdraw the *Oil and Gas Act* amendments before the guillotine clause forces this law into effect today without a full and democratic public consultation process?

Hon. Mr. Cathers: Mr. Speaker, we see, yet again, the NDP — depending on whether they support the outcome of the process so far — are either against more public consultation as in the case of the conclusion of the Peel process or, in this case, they want to do additional public consultation on amendments that were already publicly consulted on and that government conducted an additional consultation with First Nations beyond our obligation to do so.

As I have pointed out to members in the past, I personally wrote on March 31, 2009, to the federal minister regarding an approach that the Liard First Nation made to Yukon government in 2006 regarding enabling oil and gas exploration development in the Liard Basin. There was correspondence from one of my predecessors in 2009 advising Liard First Nation that, if we are unable to achieve consent under section 13, repealing that section is our best alternative to an agreement. This has been underway for quite some time. It was Liard First Nation who chose to withdraw from the discussions aimed at reaching consent. As the Premier has said on a number of occasions and I have said, we believe Yukon resources belong to all Yukon citizens. We will continue with every First Nation to honour our common-law obligations to consult with them and to fully consider their input and make any necessary accommodations as a result of that, but the NDP consistently stands in this House and makes representations that are out of line with the facts.

Speaker: The time for Question Period has now elapsed. I would like to thank the elected members for your commitment during the election a little over a year ago to raise

the order and decorum in this House, and you have done so, and I thank you for that.

We will now proceed with Orders of the Day.

ORDERS OF THE DAY

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter before the Committee is Vote 12, Department of Finance, in Bill No. 7, *Second Appropriation Act, 2012-13*.

Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 7: *Second Appropriation Act, 2012-13* — continued

Chair: The matter before the Committee is Vote 12, Department of Finance, in Bill No. 7, *Second Appropriation Act, 2012-13*. Mr. Pasloski has the floor, with 15 minutes, 30 seconds remaining.

Department of Finance — *continued*

Hon. Mr. Pasloski: When we were in Committee of the Whole, Department of Finance, a couple of days ago, Madam Chair — I just want to comment. The Leader of the NDP made a couple of comments; she said, "The NDP — the Yukon New Democratic Party — has a proud record of responsible fiscal management of this territory." She said NDP governments have had the best record of any political party when it comes to balancing the books. She goes on to say, "According to the Public Accounts — the Public Accounts, Madam Chair, not the inspired imagination of certain script writers for the Yukon Party — the consolidated, audited, authoritative financial statements for the territory — that's what the Public Accounts are. Yukon New Democratic Party governments left the Yukon government in the black."

Well, Madam Chair, when Mr. Ostashek's government was elected in November 1992, it inherited a \$64-million deficit per the Public Accounts issued as of March 31, 1993. The deficit was the creation of actions primarily taken by the Penikett NDP government through their budgetary decisions. Despite the enormity of the problem, the Ostashek Yukon Party

government was able to show a \$14-million surplus after its first complete year in office. Small deficits have occurred and were manageable in all governments over the past two decades.

Generally, individual deficits that are smaller than GDP growth are not a major concern to economists. However, only the risks taken by the Penikett NDP government jeopardized our Yukon society by breaking this principle. How serious was the NDP's mismanagement? The \$64-million deficit represented 7.25 percent of Yukon's GDP at the time. Compare that to the economists' projection that the country of Greece is expecting a deficit of 5.4 percent of GDP next year. Like Greece today, it was apparent at the time in Yukon that primary fiscal deficits far in excess of nominal economic growth rates are not sustainable. The Yukon Party has addressed this issue and returned the territory to a healthy society. Hopefully, we can move beyond ancient history and fixations on individual years. I will say though that the real comparable numbers to consider when evaluating the performance of governments are the cumulative net additions or deletions of the non-consolidated surpluses or deficits for the years in which the governments tabled the budgets. In the seven fiscal years ending from 1987 through 1993, the Penikett government created a cumulative deficit of approximately \$95 million.

In the nine fiscal years ending from 2004 through 2012, the Yukon Party governments created a cumulative surplus of approximately \$188 million. Why does this matter? It's the cumulative surplus that allows for investment in public infrastructure, such as health facilities, fresh and waste-water facilities, social housing, land development, energy expansion, transportation infrastructure, cultural facilities and tourism infrastructure in a sustainable and responsible fashion. The Yukon Party is proud of its legacy.

I would just like to make a brief comment about Finance. In Finance, we are talking about a revote of \$64,000 in capital, which is actually from the 2011-12 budget, and an additional increase of revenue of \$6.644 million, which means that our surplus that was budgeted in our mains this spring was \$80 million. After this supplementary was completed, the surplus is now reported at \$87.76 million. Net financial resources were originally planned for \$101 million. After this supplementary that number has been increased to \$125 million.

INTRODUCTION OF VISITORS

Hon. Mr. Nixon: If I could ask the indulgence of the Legislative Assembly to join me in welcoming a friend, Brian Hanna, to the gallery.

Applause

Ms. Hanson: It seems the Premier's version of history gets trotted out every time a budget is debated, whether we're talking about the spring main estimates or supplementary budgets. In trotting out this old, skewed story, the Yukon Party Premier is drawing on inspiration, it appears, from his predecessors. This version of history is quite simply incorrect. Though it may be part of the inside Yukon Party lore, and the Yukon Party apparently believes that, if repeated enough, it will be accepted as fact.

The truth is that what the Premier has said on the record and repeated in his ad hominem attacks on this NDP Official Opposition and previous NDP governments is incorrect, and I believe it's unbecoming a territorial government leader.

For seven years — from the mid-1980s to 1992 — an NDP government, led by Mr. Tony Penikett, was at the helm of this territory. It was a time of great movement in the territory on matters that I hear repeatedly the government opposite taking credit for on land claims, and a time the territory was recognized as "punching above its weight" on the national scene, in national affairs surrounding the Charlottetown Accord.

You know, Madam Chair, there has been a certain irony over the last couple of weeks as we've heard sort of endless tributes from the members opposite. So we've heard them, after trashing repeatedly the NDP, then they stand in this Assembly and laud — as we heard yesterday — examples of the NDP legacy for this territory. I'm speaking about the lovely tribute by the Minister of Tourism and Culture on the 25th anniversary of the Yukon Arts Centre which, along with Yukon College, are just two examples of the long-term vision and public engagement practised by NDP governments.

I'm left to wonder — so other than simple animosity, how did this Yukon Party fiction start? Well, if one looks back on the record, it appears to me to have reached a certain crescendo during and after the territorial election in 1992. During the campaign, the Yukon Party unveiled hundreds of millions of dollars in promises to the public.

They won the election, and then they were faced with the problem they had not budgeted for in their pledges to the public. So, being creative, if not altogether above-board, the Yukon Party government of the day hired a consultant —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Cathers: It would seem to me that for members of this Legislature to accuse members of previous Legislatures of being creative and not above-board is contrary to the practices around speaking disrespectfully of people who don't have the opportunity to defend themselves in this House. I think the member should be asked to retract that.

I know she doesn't like the facts of a Yukon Party bias, but the facts are the facts.

Chair: Ms. Stick, on the point of order.

Ms. Stick: I believe my colleague was expressing an opinion, and certainly we heard opinions from the other side also about previous governments. I would suggest that this is just a dispute between members.

Chair's ruling

Chair: The term "not above-board" would seem to be walking that line of inappropriate language for a Legislature. I would ask members to confine themselves to the debate and both sides have, indeed, been speaking about previous members of the Legislature. In this case, I will say there is no point of order. Carry on with the debate at hand.

Ms. Hanson: So, it appears that the way out of the conundrum that they found themselves in was to blame the previous administration, despite the findings of the Office of the Auditor General that the territory's finances have been run impeccably well. In fact, as one of the few jurisdictions in the country to have an accumulated surplus under the NDP government, the consultant's report said the contrary. Now, getting a consultant to contradict the Auditor General's views of the Yukon's finances was potentially a good game; perhaps authored — who knows what the intention of it was? But it was essentially baseless and useless in terms of the real record for this territory.

So today after 20 years of repetition — ad nauseam, I might add — the Yukon Party presents it as some kind of fact. I would challenge the Premier to table the actual facts. I don't think he has them. He's going to continue to use the same briefing notes — fine. I'm happy to discuss the solid fiscal record of NDP governments of more than 15 years ago. But you know, Madam Chair I think Yukoners are more interested in the here and now and I would like to see this government focus on the issues that are affecting us all today.

Yukon NDP governments did not run up the Yukon's debt. Yukon NDP have frequently raised important issues about fiscal management and this has included the importance of saving for a rainy day; implementing recommendations of the Auditor General and other reviews so that taxpayers' money is spent properly in achieving results; investing in projects that make sense for the public and not just for short-term political gain; diversifying our economy and generating more own-source revenue; doing a business case analysis — cost/benefit analysis and public consultation before committing public dollars to big ticket items; and consulting with communities on their priorities. That is how Yukon NDP governments achieved the solid record that is captured in the Public Accounts.

To recap, the financial records — the figures of both the Penikett and McDonald era NDP governments demonstrate that NDP governments have acted with fiscal responsibility in accordance with the law and without reprimand.

They lived up to the standards set by the Auditor General of Canada.

The Premier's representation of the financial position appears to continue the Yukon Party government disregard for the Auditor General of Canada, the Yukon public and responsible fiscal accounting. The Premier, I believe, has gone beyond his predecessor one back — Mr. Ostashek's attempt, after the throne speech in December of 1992, to tarnish the record of Premier Penikett. That government acted in a manner that manipulated the facts by purchasing a review by Consulting and Audit Canada, seemingly in order to support the allegations made in his throne speech. It was an unprecedented report of Yukon finances, completed separate and apart from, and ultimately in stark contrast to, that of the Auditor General of Canada.

So while on the matter of prudent financial management, perhaps the Premier might wish to comment on the Yukon Party government's track record when it comes to violating the *Financial Administration Act*. In a special report of February

2008, the Auditor General of Canada reprimanded the government for its 2007 investments in so-called asset-backed commercial papers. The Office of the Auditor General of Canada pointed out this was a third violation of the law by a Yukon Party government through asset-backed paper holdings, through 2004-05 and 2005-06 fiscal years.

Finally, I would urge the Premier to set aside the rhetoric. The audited records for the Yukon government show that, despite a much smaller base budget than enjoyed by the Yukon Party due to the significantly augmented federal transfers over the past number of years, the Yukon NDP, between 1985 and 1992, posted a net accumulated surplus, as did the NDP government of 1997-2000.

I urge the Premier to move on, focus on the facts, and let's engage in real and open dialogue, rather than simplistic and skewed attacks.

I move that we move to line-by-line examination and clear the remaining items.

Hon. Mr. Pasloski: After we listened to the Leader of the NDP go on rhetorically for a number of minutes, she says we should move on, and I agree that we should move on.

For the record, because the NDP obviously have trouble understand numbers — maybe that's why we get scared about the responsibilities of government, because they might not know the difference between a deficit and a surplus. In March 31, 1992, the last public accounts of Tony Penikett's NDP government showed debts totaling \$88 million: \$25 million at Yukon Housing Corporation; \$55 million at the Yukon Development Corporation; \$8 million at Yukon government, totalling \$88 million. The budget for the year ending March 31, 1992 was \$334 million. This meant that the borrowing represented 26 percent of the budget.

If you were to put that into this year's terms, on a \$1.2 billion budget, it would mean that we would have borrowed approximately \$315 million. We are nowhere near that figure, Madam Chair.

We certainly did applaud the Arts Centre, but I will be looking forward to the NDP standing up to tribute the Teslin jail or Taga Ku, or the Watson Lake sawmill, or Totem Oil, or to tribute the fact that they wanted to build a visitor reception centre on the highway so that travellers and tourists could just use it as a bathroom break and continue on the highway. I know that the Leader of the NDP will have her opportunity to speak instead of trying to talk over top of me, again.

Madam Chair, asset-backed paper occurred for many years. A policy has been changed in this government to stop that, but that was a very commonly used practice — not just by the Yukon Party, but by the NDP government, and by the Liberal government as well. I agree that we continue to hear a lot of talk about nothing and we can talk about the budget.

I do want to just comment that, for example, we spent the entire afternoon yesterday discussing Energy, Mines and Resources, which actually reduced their budget by \$9.792 million in the budget. We spent more time on that than we did on Health and Social Services that had an appropriation of an additional \$5.385 million. Again, I will remind the opposition that they have control over what gets debated and how much time

they want to spend on aspects of legislation or on the budget. We can continue to talk about teddy bears or we can talk about things that are substantive. Thank you.

Mr. Silver: I'm going to take a novel approach and talk about the Finance department.

I'd like to start by thanking the official from the department for coming over. I know that he is a busy man, and we thank him for his time.

I want to start with the debt ceiling. The federal government has recently raised our debt ceiling to \$400 million. I was just wondering if the Minister of Finance can comment as to what the current level of borrowing is to date, and is more borrowing planned specifically for a hospital expansion?

Hon. Mr. Pasloski: I thank the member opposite for a relevant question to what we are debating.

I think I've discussed this before. The federal government did a review of the three territories, because the interpretation of the debt ceiling was different in each of the territories, as to what entities would be included and what was defined as what borrowing would be inclusive in that. They did this study to provide clarity, and they in fact increased our borrowing limit from \$300 million to \$400 million.

The other two territories also had increases that were substantially higher, and higher borrowing capacities than the Yukon government. We did not ask for the money. We haven't been jeopardized by being close to our limit. It wasn't the same situation in the other territories. But as a result of the review that Canada did, they did increase our debt limit. I'm proud to say that we have attained strong fiscal management in that we are not only in surplus situation, but we do have net financial resources, which mean that we have money in the bank. If we take our investments and our cash and we subtract all of our liabilities, including our environmental liabilities, we would have money left over today. There is only one other jurisdiction in this country that has the ability to be in that position. It's because of that that we are able to respond quickly and positively to concerns without making successive governments and successive taxpayers to be responsible for decisions that we make today.

That, unfortunately, is not the case in most jurisdictions. We will continue to work with our corporations as well. I'm not sure exactly if the borrowing is there with the Hospital Corporation.

I can tell you that we currently are sitting with a total debt — long term plus short term — of about \$195 million today.

Mr. Silver: I appreciate the answer from the minister responsible. This is important questioning. There has been a lot of borrowing through different corporations. The accounting is quite a maze as far as what is considered to be part of the debt and what is not considered to be part of the debt.

I'll change my line of questioning to the cuts to the rate of increase for transfers. The Minister of Finance, also under his role of Premier, gave a mandate letter to all his ministers. I just want to quote from that mandate letter: "While Yukon's economic outlook is extremely positive, we must be cognizant that the percentage increase in our Territorial Formula Financing Agreement for subsequent years will be significantly lower.

With continued economic growth some of the funding pressure can be accommodated by increased revenues from the private sector. However, in meeting our platform commitments we must live within our means. Through our strong budgeting process, departmental financial planning, program evaluation and prioritization we can deliver on our platform improving the lives of all Yukon citizens and remain financially responsible."

This was, like I said, a mandate letter and this was cut, copied and pasted on to each one of those mandate letters to each minister. My question: Will this impact services? This is obviously important. The Premier spoke of it extensively to all his ministers. What changes to spending are being made as a result of this mandate?

Hon. Mr. Pasloski: As I have stated in the past, what we are going to see is a reduction in the rate of growth, not a reduction in transfers. For example, as I have stated, we project that in 2013 our TFF — our territorial formula financing grant — will increase by approximately four percent. In 2014, we project it to be approximately 1.7 percent. In 2015, we project the increase to be approximately 1.5 percent, so it's not getting smaller, but the percentage increase is continuing to decline and that is the result of a very complex formula that takes many factors into play, including money being spent by provinces and municipalities.

Over the last number of years with Building Canada, there was a tremendous reinvestment in Canada and, as a result of that provincial and municipal spending, our grant was reflected, and we had significant increases. In the last few years, as these provinces are trying to deal with significant debt and deficits, a reduction in spending has impacted the rate of growth of our TFF. It's averaging, so it lags about two years behind, and that's why we're looking into 2014-15 to see the decrease in the rate of growth significantly lower and, in fact, potentially below inflation.

It is the priority for this Finance minister and this government to ensure that we deliver for Yukoners without compromising, and that's why it was part of the mandate letters. That's why this government is cognizant of where revenues are going — so we can deal with that. Part of the solution is to increase own-source revenues.

This government, in the last 10 years, has increased own-source revenues by more than 100 percent; it has increased tax revenues by more than 100 percent.

We will continue to encourage private sector development in this territory — more people living here, paying employees who pay taxes, more businesses paying corporate taxes. We continue to foster the private sector economy that will help us to get over the reality that this isn't a bottomless pit and that we have to be responsible. We know what's coming, and we will be able to ensure that we can deliver for Yukoners based on a financial situation that's moving forward. A key component of this, as I state again, again, is continuing to foster the private sector investment in this territory.

Mr. Silver: Rate of growth, as the Minister of Finance talked about, is the important issue, especially when we do take into consideration inflation rates. It must be important — it was listed in the mandate letters as important. Similarly, there are

cuts to the rates in health care increases from Ottawa. I was wondering if the Minister of Finance can speak as to what the impact of these cuts is going to show here in the Yukon.

Hon. Mr. Pasloski: Unlike the provinces, by far the most significant portion of our health care funding comes from the TFF where in the provinces, they have an equalization formula and then they have the Canada health transfer. Only a very small amount of our health care dollars actually come through the Canada health transfer. Because there will be a change in 2014-15, which will go to a per-capita formula as well, we project a very, very modest decrease in money or in fact breaking even. When I say “modest decrease,” it potentially could be \$10 per person. Quite honestly at this point, there is a nominal impact to all three territories when it comes to health budgets, because that money is actually factored into the TFF.

Mr. Silver: The future of the territorial health system sustainability initiative is my next question. That expires in March 31, 2014. The THSSI funding will provide \$30 million per year divided among the three territories to undertake the health system initiatives, some management, participate in the pan-territorial health initiatives and offset medical transportation expenses. Have negotiations begun to extend this again or even to make it permanent?

Hon. Mr. Pasloski: We do in fact — of the \$30 million annually, Yukon’s portion is approximately \$8 million. I was able to get the Prime Minister, back in April of 2011, to extend that through until March 31, 2014.

The answer to the question is yes. I have had conversations with the senior minister responsible for the north, the Minister of Health, Leona Aglukkaq. The Minister of Health and Social Services and his department have been working toward a business case for this. The Yukon is working both as an individual, but pan-territorially with the other two territories as well. I have also raised this issue with the Prime Minister in conversation as well.

So the answer is yes. This is a concern and a priority, because potentially, with the loss of this money, that’s \$8 million that we have to find a way to deal with. It is significant to us. We are working on it. Hopefully we’ll be able to report going forward that we will be successful with that.

Mr. Silver: I only have one more question — it’s a four-parter — and then I will sit down. It’s based upon the news release from October 29, 2012. It was a joint release of CYFN and the Government of Yukon and was about the new resource royalty sharing agreement. I’m not going to quote the whole letter but there’s a quote in here from First Nations Grand Chief Ruth Massie: “This agreement is intended to ensure that all Yukon self-governing First Nation governments benefit from resource development in the Yukon whether a producing mine or future resource development is on First Nation Settlement Land or not.”

Also in this joint news release was a quote from the Premier: “This important decision between the Yukon government and self-governing First Nations demonstrates the government’s commitment to ensuring all Yukoners benefit from resource development in the territory.”

I have four questions based on that, and I’ll just ask them all at once to give the Premier a chance to respond to them all at once.

The first question: What is Yukon First Nations’ royalty payment this year?

The second question: How will it get to \$4.7 million?

The third question: Will unsigned First Nations get a share of these royalties?

The last question: Have all First Nations governments agreed to this agreement and when would it be signed off?

Thank you, Madam Chair, and I thank the minister for his answers.

Hon. Mr. Pasloski: I might not — I’ll defer the first one while the deputy minister looks for an exact number, but I can tell you right now that — and he will confirm it, I believe — the money to First Nations this year will primarily be to Selkirk First Nation, because they have a producing mine paying royalties on category A land, which means they get 100 percent of all the royalties. The royalties are paid to the Yukon government as any other producing mine would do. We then give the money to the Selkirk First Nation because it is on their land.

As you’re speaking — royalties from any mine that occurs in the Yukon if it’s not on category A First Nation land would then be shared will all self-governing First Nations per an agreement that was done in the *Umbrella Final Agreement* that stipulates what the calculation is for how much everybody gets.

Through collaboration and consultation with First Nations, we did approach Canada. I was fortunate — or excited — to be able to announce a tentative agreement with the Prime Minister in August of 2011, where he committed to ensuring that Yukoners will benefit tremendously from royalties from resource revenues going forward. Through further engagement with First Nations we finalized that deal and, subsequent to that, there was an agreement made on revenue sharing with the self-governing First Nations to which officials from all of the self-governing First Nations have agreed. We look forward to signing that in a formal signing ceremony, if possible, perhaps in the next Yukon Forum.

I have to state that this resource royalty revenue sharing agreement with self-governing First Nations; that there was absolutely no obligation to do this. We are meeting our obligations as per the *Umbrella Final Agreement*, so this was an agreement acknowledging that as Canada is going to share more of these royalties with Yukon that we in turn will do the same with Yukon self-governing First Nations. Actually, I don’t have the exact number for this year for the Selkirk First Nation.

The agreement with Canada is a two-stage agreement. The first part of the agreement is that we combined royalties from the oil and gas sector and mining together — initially, Yukon kept 100 percent of the first \$3 million on the mining side and 100 percent of the first \$3 million on the oil and gas side. So the new agreement just says that we combine all of that together, and we get the first \$6 million. In reality, that’s not a benefit to Yukon at this time because there wasn’t a lot of roy-

alties in the oil and gas side, but there is the potential on the mining side. So that was a benefit potentially off the beginning. The second phase of this agreement has not been triggered at this point. What that agreement will say is that when we trigger it, we will then go from 100 percent, up to \$6 million, and we will then go to 50 percent. That will be tied to five percent of the gross expenditure base. So in 2011 dollars, that was going to mean approximately \$45 million to \$47 million. We wouldn't be prepared to trigger the second component of this agreement, therefore, until we get to at least \$12 million or more, because we don't want to see a reduction. So we will wait until we see the stability in excess of \$12 million to then pull that trigger.

You'll probably ask the question, and I will answer it in advance — that is, the formula that exists today, up to the \$6 million — we've actually supplemented the second half on the second plan to get First Nations closer. What I'm saying is that there is no change for First Nations under the first \$6 million, because they have a significant deal at that point. Where the trigger will occur will be on the go-forward, when we go to 50/50. Once we go to 50/50, we can't go back, so we have to be certain that we're in for good economic certainty to ensure that we benefit from those resources.

Those resources — we will share with the First Nations, but, you know, this royalty is a Yukon share, over and above wages, over and above personal taxes and corporate taxes. This is a royalty that is paid by companies for extraction of natural resources. With this money we continue to provide the services and the programs that are important to Yukoners, such as paying for doctors, teachers and building schools, roads, et cetera. The agreement does not involve the participation of the non-self-governing First Nations. This agreement was done through chapter 23, I think, of the *Umbrella Final Agreement* so they are not participants in it. These First Nations still fall under the jurisdiction of Aboriginal Affairs and Northern Development. They are *Indian Act* bands and we continue to advocate on their behalf with Canada to ensure that Canada continues to support those First Nations under the responsibilities they have as *Indian Act* bands.

I believe the latest number for Selkirk First Nation is 1.7. I believe the number in the last five years is \$12.6 million. I might have to be corrected on that, but I believe the Selkirk First Nation has received \$12.6 million in the last five years in royalties directly to Selkirk First Nation.

Mr. Silver: I do have one final quick question here. I'd ask for your indulgence on this one. There was a birthday in the deputy minister's office yesterday — Ms. Fiona Solon — and I was just wondering what the deputy minister got her for her birthday and if there is a particular line item that we're going to see for that in the budget?

Hon. Mr. Pasloski: I think this is an opportunity for me again to thank the Deputy Minister of Finance and the unbelievable staff that we have in the Department of Finance. The incredible work that they do every day is beyond words, in my estimation. The job is a difficult one and it's always not the most thankful one, I would suspect as well, and they work very

closely as a corporate entity with all of the departments within the government.

I'd like to thank the deputy and his staff and I would also use the opportunity to wish all members of the staff a very Merry Christmas.

Mr. Elias: I just have one question for the Premier. Right now as we speak, in the United States Congress, there's a debate going on to try to avoid what people are calling the "fiscal cliff" to avoid another recession in the United States. It's very obvious, seeing what happened in 2009, that our country's economy is very closely connected to the economy of the United States of America and, depending on what happens there and how they decide to avoid that fiscal cliff, there's a very real possibility that North America could go into a recession and Europe would follow and we would have a global economic crisis on our hands.

My question to the Premier: Does he have a plan to minimize the effects of a global or North American recession on the citizens of this territory and, if so, would he let the territory's citizens know what that plan is? I'm just looking at my own community of Old Crow. During the last recession, the price of lumber went up, the price of food went up, the price of fuel went up, the cost of transportation of goods to and from Old Crow went up substantially.

This has the potential to impact the day-to-day lives of not only my citizens in the Vuntut Gwitchin riding, but the Premier's citizens throughout the territory. Could he maybe elaborate on what his department is doing to minimize the effect should another global financial crisis happen? Unbelievably, what happens in Greece affects Yukon. So if the minister could elaborate on that, that would be great. Thank you.

Hon. Mr. Pasloski: I thank the Member for Vuntut Gwitchin for his question. Just before I answer it, I can confirm that the Capstone Minto mine has paid \$12.6 million in royalties since 2008 to Selkirk First Nation. I just wanted to confirm that in fact that was the number.

The world economic uncertainty certainly is a concern for all governments and all finance ministers. Certainly, I believe most people who live in the country are also concerned about what potentially that will mean. I will be meeting with Finance ministers this weekend and with the federal Minister of Finance. We'll be meeting with the Governor of the Bank of Canada to get an update as well.

The finance ministers do talk regularly either by phone or meeting. I can say that while there is uncertainty, there are also plans in the event. We will see what happens. Europe in fact is in a recession currently. By definition, they are back in a recession now and have been for a couple quarters. We are concerned about what potentially could happen in America while still remaining eternally optimistic, like a farmer, that they will find a way to get through this.

There are a lot of things I think that have been done and sort of speak to the reason why Yukon and Canada in general have tried to focus on diversifying who we do business with, because traditionally we have done most of our business with the United States. If the United States economy goes down, henceforth it has a dramatic impact on the Canadian economy.

That's why the former Minister of Economic Development and the current Minister of Economic Development have been working diligently out there promoting Yukon as a stable, strong opportunity for foreign direct investment here in Yukon — so continuing to work on foreign direct investment.

While there is a potential for an economic downturn, there are parts of this global economy that are still doing quite well. China this year should be looking at approximately 7.75-percent GDP growth. With their population, you look at the strong growth in India and Brazil, which are three examples of jurisdictions where there will continue to be strong growth. As a country and as a territory, to continue to diversify our investment portfolio and look for opportunities in these areas is very important.

The other thing I think is very important, and what I've already spoken to, is that we're in good shape. That's one of the big answers for Yukon, which is that we have cash and we have net financial resources that are available to us. We could pay everything off and still have money left over in the bank. There's only one other jurisdiction, unfortunately, that can do that.

As I mentioned earlier, I did say that we are now projecting our net financial resources for the end of the 2012-13 year to be \$125 million. That's the money that would be left over if we paid everything off. We would still be left with approximately \$125 million. We have over a quarter of a billion dollars in cash and investments today.

So what we would do is what we did through the last recession; we have the money in hand to help us get through a world economic crisis if in fact that does happen again. So, fiscal prudence — ensuring that investments that we make in services or programs are the right ones; continually ensuring that what we are doing is providing value to Yukoners — I'm confident will allow us to be able to weather a significant downturn in the world economy if in fact that does happen.

Mr. Elias: I thank the Premier for his response to my questions there.

A whole bunch of programs were initiated post-recession — economic stimulus programs across the country — which were fiscal austerity measures that obviously affected our own territory here. The reason I'm asking these questions regards the expectations of Yukon. What should we expect in the event of another global financial meltdown? So many things affected the day-to-day lives of Yukoners as costs rose. In anticipation of global economic crisis, the prices of food are already going up. So that's the reason why I ask the Premier if we have a plan. What I'm hearing from the Premier is yes, the Yukon does have a plan and we're prepared to weather the storm, should that happen.

Chair: Is there any further debate on Vote 12, Department of Finance?

We will proceed then to line-by-line examination.

On Capital Expenditures

On Treasury

On Office Furniture and Equipment

Office Furniture and Equipment in the amount of \$39,000 agreed to

On Building Maintenance, Renovations and Space

Hon. Mr. Pasloski: I'll just again for the record say that the \$64,000 is a revote from 2011-12, so it's not new money but a revote of money from the previous year for renovations that have not been completed.

Building Maintenance, Renovations and Space in the amount of \$25,000 agreed to

On Total of Other Capital

Total of Other Capital in the amount of nil cleared

Total Capital Expenditures in the amount of \$64,000 agreed to

On Revenues

Revenues cleared

Department of Finance agreed to

Chair: We're going to continue now with general debate on Vote 55, Department of Highways and Public Works. Would the minister like a 10-minute break for officials?

All Hon. Members: Agreed.

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

Recess

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

The matter before Committee of the Whole is Vote 55, Department of Highways and Public Works, in Bill No. 7, *Second Appropriation Act, 2012-13*.

Department of Highways and Public Works

Hon. Mr. Istchenko: I just want to say a few quick things before we get into debate here. The supplementary budget request highlights the dedication of my department to the responsible construction, maintenance and management of Yukon's roads and highways, airports, government-owned and leased facilities. The severe weather this past spring demonstrated some of the challenges of maintaining infrastructure and assets in the north. The quick and effective response of staff from Highways and Public Works and other departments, working together, to the washouts that affected our transportation infrastructure so severely, demonstrated the innovation of staff in meeting these challenges. We need to be strategic in our planning; we need to make good decisions and prioritize our projects in a manner that is the best use of the public purse. We do this while ensuring Yukon roads and highways, buildings and other resources are maintained in an effective manner that ensures public safety. Just for *Hansard* I do want to provide a few highlights of the transportation.

As you know, the total supplementary request is \$23.237 million, and the majority of the request for \$18.6 million is for capital funding.

Most of the O&M funds requested are to cover the costs associated with highway repairs required after the washout that occurred last spring.

Some of the highlights: \$3.575 million on O&M is requested to cover the costs of repairing the washouts along the

Alaska Highway, of which \$2.013 million of those costs will be recoverable from Canada's disaster finance assistance arrangement. We're also requesting \$845,000 in capital for the Nahanni Range Road bridge replacement due to the washouts, of which \$507,000 will also be recoverable from Canada. In addition, \$9.7 million in capital is requested for the second paving project on the Haines Road between Haines Junction and Beaver Creek. One hundred percent of this cost is recoverable under the Shakwak agreement. We also have an increase of \$1.659 million, which is requested for work on the Flat Creek Bridge, of which \$659,000 is recoverable from Canada.

We're requesting \$840,000 for airport and aerodrome projects, for example, to complete work for the second passenger bridge at the Erik Nielsen Whitehorse International Airport. This is a very important improvement for both.

We continue our work on the Campbell Highway and we are finished up to the portions supported by the Building Canada fund. We are requesting an increase of just over \$3 million for work on the reconstruction between kilometre 10 and kilometre 90. Over \$1.6 million of this expenditure is also recoverable from Building Canada.

There are a couple of Property Management highlights. An additional \$348,000 in O&M funding is requested to cover the maintenance costs of newly completed projects, such as the Whitehorse wharf and waterfront project, the new Correctional Centre, as well as to support training of Dawson City staff to take over the waste-water treatment facility and to support the operation of the Dawson City district heating project. Also, Property Management is requesting an additional \$625,000 related primarily to space planning and intended improvements within the main administration building.

So with that, I would like to thank the officials, Jackie and Allan, for being here today and also the department for all their hard work. I'll open the floor.

Ms. Moorcroft: I'd like to thank the minister for his opening remarks with some details about the supplementary budget estimates. I also want to acknowledge that the minister made a tribute this morning to all of the employees for the work they do within the Department of Highways and Public Works and state clearly for the record that the minister was speaking on behalf of all Members of the Legislative Assembly.

We do certainly appreciate that work and thank you to the staff for the departmental briefing that was offered earlier in this sitting and to the staff who are here this afternoon.

I'm going to move quickly to canvass a few issues and then have some questions specifically on some of the items in the supplementary estimates. I want to start with the issue of the accessibility of government buildings. The minister and I have discussed this subject previously and I have made it very clear that the position of the Official Opposition is that we would like to see buildings where government offices are housed, whether they are owned or leased by the government, accessible to persons with disabilities, whether members of the public or employees.

I did have a meeting with the minister and his deputy several months ago and was left with the impression that, because

the government already maintains an inventory of all government facilities and leased buildings, they would work to add information about whether a building was accessible or not. This is highly important. It's a matter of obligation under our human rights legislation that buildings are accessible. I would like the minister to make a commitment to gather the information and act on that information, so that where there are leased spaces that are not accessible, either the space becomes accessible or the government looks to leasing other buildings.

The minister sent me a letter in January indicating that the Highways and Public Works department hopes to continue their work with the Yukon Council on DisABILITY; however, when I met with members of the Yukon Council on DisABILITY just a couple of weeks ago, I was speaking to various people there and they have not had any engagement with the department in a considerable amount of time.

I also wanted to point out, before the minister rises to address my questions, that the Auditor General's report also said the government needs to manage the leasing of office space better.

In the Premier's mandate letter to the Minister of Highways and Public Works, one of the items is to meet and coordinate government space needs as economically as possible through consideration of long-term leases, outright purchase or government construction.

I want to ask the minister to respond and I hope that he is going to assure me that the department will get the information on all of the buildings that they lease as to whether they are accessible or not — I don't think that that should be a particularly onerous task — and that he will direct the department to take measures to ensure that government space, whether it is leased or owned, is accessible in all cases.

Hon. Mr. Istchenko: I thank the member opposite for the question. I just want to speak a little bit to a capital planning initiative phase that was formally implemented, which has just been implemented from 2011-12. It brought all of the departments together to holistically approach property needs and ensure that government-owned and leased facilities meet the clients' needs as well as the building code and the health and safety, energy efficiency and sustainable standards.

There are a few more things here, but the disability portion of it for persons with disabilities, of course, is very important to this government and we're still committed to accommodating the needs of disabled employees. I spoke a little bit earlier about the establishment of the workplace diversity employment office for persons with disabilities who are looking to work for the government. They contact our office and are helped with their needs, and the concerns that they have are brought forward. When it comes to leased spaces — the member had asked about leased spaces, and as you've seen and I've spoken to a little bit, you'll see longer term leases: five-year and 10-year leases. We go after the lessor and explain to him that these are the requirements under the building code for persons with disabilities, so that we get a better deal on our price, but we also get them to upgrade the facilities before they enter into an agreement. We do have leased facilities, and I understand the Auditor General's report comes on there, and that's something

that we committed to. He was quite concerned about the three-year leasing, so we are looking at longer term leases and working with them. I can commit today that accessibility issues within all the government buildings are being looked at, and when we do retrofits, to upgrade access to some of our other facilities and new facilities that are built.

Ms. Moorcroft: I heard the minister say that he had made a commitment to look at the issues and that, when they do retrofits, they will address the issue of accessibility. I am looking for two specific additional commitments from the minister. I'd like the minister to make a commitment that when they either renew or enter into a new lease, they make it a requirement of the lease that the space be accessible. I want to note that the Auditor General's report for 2012 did make a number of recommendations and was critical in a few areas. The government, to its credit, agreed and acknowledged that it would work to address them, but the Auditor General did point out that not only were short-term leases more expensive, but there were a number of leases that were greatly exceeding the cost of owning a building.

I'll quote from page 16 of the Auditor General's report: "...the Department analyzed seven selected buildings; this indicated that the cost of leasing was three to eight times higher than the cost of owning."

So to go back to the two specific commitments I'm looking for from the minister, the first being to make it a requirement for leases of government buildings to be only for buildings that are accessible, and secondly I would come back to the first issue I raised, which is that the minister indicated the department hopes to continue working with the Yukon Council on DisABILITY. Can the minister provide me with an assurance that will take place shortly?

Hon. Mr. Istchenko: As I alluded to earlier with reference to leases, all new leases we do get into, we're looking at longer term leases. We're looking that they have the requirements for persons with disabilities. I might add there are some leases we haven't renewed and have gone to different buildings because of that exact issue.

When it comes to the council the member spoke to, I will commit to have the department engage and speak with them. I would love to hear if they have issues with certain facilities so we can address that as they arise.

Ms. Moorcroft: I want to turn to the matter of contracts, because the Department of Highways and Public Works, in maintaining the transportation infrastructure and being responsible for buildings, has a very large budget for contracts.

The public places a high value on workplace safety. I don't think I need to assert again how important it is that workers are safe in their workplaces and that we want to promote workplace safety. So I want to ask the minister about the issue of certificate of recognition, which is the COR program where employers are required to take some training about workplace safety measures in order to bid on government contracts.

To its credit, the Yukon Party introduced the COR program in 2008, and they were planning at that time to have it fully implemented by — I believe it was — 2011. However in the last couple of years the government has continued to place

an exemption on contractors who are bidding on contracts less than \$100,000.

Now, when we had the Workers' Compensation Health and Safety Board witnesses here before the Legislature, they indicated very clearly that not only does the COR program work to improve workplace safety, companies that have completed their COR training have much less costs because of the financial benefits as well as the reduction of injuries when workplaces are more safe.

I'd like to know what the minister's commitment is to workplace safety and when he anticipates that his department will continue to take leadership on workplace safety and particularly workplace safety for new workers and for young workers who are often employed in the Highways and Public Works contracts.

Hon. Mr. Istchenko: I would like to reiterate that the contractors that we have bidding on contracts, the Highways and Public Works crews who are working out on the highways, have a great track record and they work safely. They are covered under WCB. There is occupational health and safety; there is other stuff that's out there.

The COR program with the Workers' Compensation Health and Safety Board falls under Health and Social Services.

When we speak to the contract stuff, there are different types of contracts out there, and it has to be standard across the board when it comes to procurement within the government.

We're focusing on ensuring fairness, transparency, accountability and value for money in government contracting — but also looking at the program. In my conversations with the Minister of Health and Social Services, we have a lot of concerns from rural Yukon on becoming certified. That's something I believe we'll have to work together on, and it's something we are working together on.

Ms. Moorcroft: I just want to emphasize for the minister that even if it's difficult to accomplish something that promotes workplace safety, it's well worth doing. I have to repeat for the minister that the claims costs for non-COR companies are double the claims costs of COR companies. As the Minister of Highways and Public Works, he has the responsibility for the tendering of government contracts. He has the ability to say to his Cabinet colleagues, as the minister, "Support this workplace safety program, and I want to see it coming into effect for all government contracts." So I will urge the minister to do that.

I want to move on to some questions relating to roads. I'll start with the road between Faro and Ross River, which is in very poor condition. We've been hearing about this for years. It has been over a year since I drove to Ross River, but I know people who drive it regularly. It's very noticeable that the quality of the road deteriorates dramatically once you leave Faro and head to Ross River. I'd like to know when the minister anticipates that his government will place a priority on improving the road between Faro and Ross River. We have asked about this before and haven't seen action on it. I'd like to ask the minister if that is in his plans.

Hon. Mr. Istchenko: I also hear from the MLA for Pelly-Nisutlin about this road. This fiscal year, we don't have anything budgeted for it. We're going to keep up the O&M on it.

We understand — especially last year — all of our roads took a huge hit, as you can see, when we had the flooding and excessive rains throughout the summer. Our office was inundated with calls on just about every road we had, regarding potholes, rough conditions and Yukon climate change — I guess for a lack of better things. So we're committed to the O&M budget that we have for it and to put our effort into it in grading and stuff like that. We don't have anything identified in this fiscal year, but it is on our radar that it's something that could use upgrading.

Ms. Moorcroft: I'm glad to hear that it's on the minister's radar, but I hope that it's going to be something that will actually see some action and some attention from the minister, in terms of allocating funds to do the work. We've had quite a lot of debate in this Legislature about the amendments to the *Access to Information and Protection of Privacy* legislation, and the minister has indicated recently that they may plan to do a full review in 2015. That's certainly later than we believe it needs to be done and we have, as the minister knows, called for a full consultation and a full review before the government does make those legislative amendments.

But I digress from the subject we're discussing at the moment, and that is the roads and transportation infrastructure.

There is a request in the supplementary for an additional \$845,000 for Nahanni bridge replacement — again, from a washout. There is approximately \$500,000 from Canada in recoveries for that. So we see almost \$5 million in extra costs due to washouts. With climate change and increased frequency of extreme weather conditions, what is the government planning to do, if next year or the year after is like this one? Will Highways and Public Works be looking at building a larger contingency fund from here on in, or how do they propose to deal with what may be a problem we will be dealing with again in the future?

Hon. Mr. Istchenko: I'd just like to speak first a little bit to engineering and our engineering department. We have identified the fact that the climate is changing and the conditions are changing. In the wintertime, we get more warm weather and more ice. We identified that. In the summertime, we do get increased rainfall.

When we engineer new projects, we take that into consideration. We look at bigger multiplates, bigger culverts, approaches to bridges — stuff like that. I don't want to call it a bonus, because we didn't want to have washouts this year, but because of this we identified — there is some new infrastructure out there that we have purchased in the form of oilfield bridges that are a lot quicker and faster than the old Bailey bridge system. We can have them in some of these camps and can access them right away and get to the root of the problem if there is a washout. Basically, yes, our engineering department takes into consideration — we've been working on the permafrost up in Beaver Creek area with studies on that and looking at the changes of climate and the same with the summer —

noticing the increase in extreme weather conditions — rain and stuff.

Ms. Moorcroft: The minister went with my colleague, the Member for Mount Lorne-Southern Lakes, on a tour of the highways and roads in his riding and, along the way, went through portions of Copperbelt South riding. I know that the minister and my colleague had a discussion on several of the items relating to good roads in the area.

My colleague sent a letter to the minister asking for follow-up on some of the items that hadn't been addressed in the minutes of the meeting that the minister first provided, and all he got in response was a letter indicating that there was a rural road maintenance program available and there were copies of the application form. I want to come back with some specific follow-up on a few of the roads that the minister and my colleague observed and had a discussion about.

On Pennycook Road in the Tagish area, we understand that residents have made three previous rural road maintenance program applications to the government, and the minister was asked to work with the department and the residents to proceed with doing upgrades. There is a matter of fire safety associated with this, so I'd like to ask the minister to respond to that. Maybe what I'll do before he responds is to list all of the items that he hasn't addressed.

The Annie Lake Road apparently is upgraded now twice a year and the minister agreed to consider more frequent upgrading since there is more traffic on that road from mine activities. Is that correct? The Reid Road turnaround is an issue that the minister committed to coming back to. It's an issue of public safety. The Judas Creek Drive has significant potholes. Is there a plan to resolve the issue of water in the ditches and the culvert valve problem at Army Beach? Maybe before I sit down and ask the minister to respond to those matters that were not addressed, I would also like to acknowledge my appreciation that the road to Golden Horn Elementary School, and particularly the stretch that parallels the Alaska Highway, was improved. I know that the minister looked at that and heard from my colleagues and me about it. They have a lot of work to do to keep everyone satisfied with the state of the roads, but perhaps the minister could just respond to the issues that were not resolved following the tour.

Hon. Mr. Istchenko: When it comes to Pennycook Lane, when we toured through there, I did explain to the MLA for that area about our rural roads upgrade program and I did talk about that. One thing that I didn't realize when I got back and looked at that is we have a \$200,000 revolving fund in the rural roads upgrade program. It's in-kind support from some of the residents and it's money that we put forward. It's more of a bang for your buck so you can get more done. That portion of the road had already has some funds go toward that. We like to spread the funds throughout the Yukon. That's why I would encourage him again to put in next year for it on the same thing. There is only so much in that fund, so most of the fund had been spent already when they put in for it. Every year, this is something that rolls over in our budget of that \$200,000, so I would encourage them to put in for that again.

When it comes to the Annie Lake Road, that's the same issue that I get from the member from Carmacks and up in that direction about the bypass —

Some Hon. Member: (Inaudible)

Hon. Mr. Istchenko: Not Pelly-Nisutlin — Mayo-Tatchun. When it comes to the Carmacks bypass, with those roads, when mines do come on-line and it comes to increased traffic — I've said this before in the House — that's when we look at increased maintenance.

With the mine coming up, looking at Annie Lake Road, you'll see we identify the fact that it will need increased maintenance — same thing when it comes to the Carmacks bypass. If a mine goes into operation, we'll of course be working closely with them in our department, as will the other departments. We'll know that it's time to put in a bypass; there will be too much traffic.

I would like to say again — whenever I heard the word “potholes”, I don't mean to be a bit of a hard-nose on this, but last summer, there were a lot of potholes everywhere. It rained, and rained, and rained. Our highways crews — I give them 100-percent credit. I tributed them today on behalf of the House, and I thank the member opposite for that. They worked hard out there blading. We identified two bladings a year on roads, and sometimes each road could probably use 10 bladings, but our budget is what our budget is, and we work within our restraints.

Army Beach ditching, grading and what has happened with that, not to throw the Community Services minister under the bus by any means, but this was something that — just seeing if she's paying attention and of course she is. That is something where we looked at the ditching part of it and the grading of the ditch. When I looked at it with the Member for Mount Lorne-Southern Lakes, it's the grade in the ditch, but that grade goes back in the water and precipitation comes from way back in the area, so it is virtually impossible to get equipment in there because it is soft to work with.

That was something in my discussions with the department and it is not a huge issue of roads washing out or anything like that, so it just wasn't a priority.

Ms. Moorcroft: Regardless of the limited amount of funding available for the rural road maintenance program, there are a number of people who live at Pennycook Road and it becomes impassable in the spring, so this is a matter of safe road access for all residents year-round and it's also a matter of maintaining a road where emergency equipment has the ability to get in there if they are needed to respond to an emergency. I want to follow up and urge the minister not to just say to apply yet again for a rural road maintenance program. This is upgrading that is needed and certainly my colleague understood from the conversation that they had when they were out looking at the riding that that would be something the minister would make an effort to address. I am going to urge him to in fact do that.

The supplementary estimates also show an \$840,000 revote for airport improvements and I'd like to ask the minister if he can respond to an issue that has been raised with him before. What is government doing to ensure that the Mayo airport

meets the Nav Canada safety guidelines that block commercial flights but allow charter flights? The minister and I have spoken about this before. Air North cannot run commercial flights, but they can do charters. My colleague, the MLA for Mayo-Tatchun, who represents that riding, has also raised that with the minister. Could he let us know what the current status is there?

Hon. Mr. Istchenko: I just want to assure the members across the way that the Mayo aerodrome does meet all safety standards right now. We have secured a temporary authorization allowing scheduled air service next year — it's a one-year trial for Air North — from Nav Canada.

Ms. Moorcroft: Moving on to Property Management, there is a requested revote of \$625,000 for space planning and tenant improvements within the main administration building. That is the old library. Will this space be for staff? Did the government determine the use of the space before they allocated the money for planning and tenant improvements? This is a government building that is already accessible. It has had a lot of use for the many years it was a library and it seems to me that the best use of that space would be for front-line service, so that staff could help people who may have access issues or other uses that take advantage of the fact that it is a downtown location that is accessible. It could be used to support the public having access to government services. Can the minister let us know what is happening with that space?

Hon. Mr. Istchenko: Yes, space planning for the administration building — thank you, Madam Chair. What we are doing there is amalgamating and bringing a department together so that they are in one building — Public Service Commission.

Sorry, Madam Chair, I think it's Public Service Commission, but I'll commit to getting back to the member on that. I'm pretty sure that's what it is.

Ms. Moorcroft: I realize I should have directed my remarks through the Chair. I just thought if the minister had the information handy, perhaps he could answer it before he sat down. I appreciate that he will get back to me with more detail on that.

I want to ask the minister a question related to the French Language Services Directorate and translation services. I recognize the minister may not be able to respond to this today, but I just want to put on record that, at the present time, members of the Legislative Assembly do not have access to translation services. I think this may very well be in violation of the official *Languages Act*.

I also noticed yesterday when the Yukon Human Rights Commission annual report was tabled that the Yukon Human Rights Commission was able to do some translation with a Law Society grant. I believe the government should be providing translation services for the work of the Yukon Human Rights Commission. People should have access to information related to human rights in both English and French.

So I just want to ask the minister to commit to doing a review to ascertain if, in fact, the government is in compliance with the official *Languages Act*. I would like to advocate for the government to provide translation services for members of

the Legislature, for the Yukon Human Rights Commission and broadly across government.

Hon. Mr. Istchenko: Yes, I can commit to getting back to the member on that. That's about all I can commit to.

Ms. Moorcroft: I'd also like to ask the minister to either provide information or get back to me about what additional costs may have been incurred by heavy industrial traffic, in particular, or trucks on the Robert Campbell Highway, on the Silver Trail and on the Klondike Highway. I would like to know what companies are charged for ore-hauling permits. How much of the additional expenses that have been incurred are recoverable from fees?

Hon. Mr. Istchenko: For those roads that were spoken to, we have bulk haul agreements where it is a penny per kilometre over legal actual load, which is 65,000.

Ms. Moorcroft: There is an increase in operation and maintenance for Dawson waste-water treatment facility staff training and the \$348,000 in this line item is only partially for the staff training. I'd like to ask how much of the \$348,000 is for that.

In addition, Dawson City has expressed grave concerns about its ability to meet the long-term operation and maintenance costs of the waste-water treatment facility. What is Highways and Public Works doing as far as developing long-term plans or arranging for long-term funding? Can the minister tell us how they are working with Dawson on this?

Hon. Mr. Istchenko: I'll break that down for you. There is \$133,000 for operational costs for the Dawson City district heating project which will be tied in with waste water. There's \$15,000 for operator training required for turnover operations to the City of Dawson. Of that, \$40,000 is for additional maintenance personnel required at the Correctional Centre; \$30,000 is the result of increased maintenance costs at the Correctional Centre; and \$130,000 is one-time funding to cover higher operational costs for the Whitehorse wharf and waterfront project which is now complete.

I want to speak to Dawson waste water. We met with mayor and council officials two nights ago to discuss the one-year after maintenance of the Dawson City waste water. We had a very good meeting with them. We discussed some of the issues I received and heard during AYC.

We're definitely committed to work with them to run the project for the year, and sit down with them and look at the costs and make sure that the costs to the residents of Dawson City are not above and beyond what the rest of Yukoners pay for water and sewer. I committed, and we've committed to that, and said that in this House time after time, so nothing has changed. We had a good meeting with the mayor and council up there. I'd like to thank the officials; they had rough weather to try to get there. I think the people who drove got there quicker than the people who flew. Thank you.

Ms. Moorcroft: I want to just ask the minister to repeat the information related to the funding amount for the new Whitehorse Correctional Centre. I did have some discussion with the Minister of Justice on this; however, some of the money is in the Justice budget and some of the money is in the Highways and Public Works budget. I'd like the minister to

repeat the number he just said and also to tell us the total costs in the current budget year for contract expenditures to do with Whitehorse Correctional Centre.

Hon. Mr. Istchenko: To repeat the numbers again, there was \$40,000 for additional maintenance and personnel required at the Correctional Centre — this is Highways and Public Works — and \$30,000 as a result of an increase in maintenance costs at the Correctional Centre.

Could I get the member opposite to ask the other question she had asked again, please? I missed that.

Ms. Moorcroft: I was also looking for the total amount in the current fiscal year for Whitehorse Correctional Centre with the mains plus the supplementary budgets.

Hon. Mr. Istchenko: I can commit to getting those numbers to the member.

Mr. Silver: I would like to thank the officials for being here today and the minister responsible for answering the questions.

I'd like to start by just saying that the minister and his department deserve some credit here for their communication skills. I've had several interactions with the minister and his departmental team, and credit is definitely due. One particular instance happened just previous to the sitting of this legislative session when a placer mining camp was facing a dangerous situation involving snow. They knew that their road would not be maintained after the U.S. border closure, but they had a bad start-up to the year, and they finally got into a good line of pay dirt. They took that gamble and continued mining.

I will give the minister responsible an opportunity, if he wishes, to talk about how he and his team saved the day there. It's just worth mentioning that the minister and his department went above and beyond in this particular case to help facilitate reconnecting the camp to civilization. He definitely is owed some credit there.

This particular road, like I say, wasn't supposed to be maintained, and a solution was found. I do have to say that more credit is due here because they did that without knowing at the time that the History Channel was down there filming every single motion, of every single day, of this particular camp. I'm sure, in March, his staff will be featured in one of their episodes. Kudos to his department and team.

I do have a question about the meeting that the minister and his department had in Dawson regarding the waste-water treatment facility. I just wanted to see if he would like to comment a little bit about transferring ownership over, in terms of worker safety. I hear that there may have been an issue coming forward about the city not necessarily being 100-percent sure as to whether or not the full safety was implemented for their workers — if the minister would maybe just comment on that for a second, please.

Hon. Mr. Istchenko: That would be new to me, so I can ask questions and see what I can get back to the member on that.

Mr. Silver: The future of the Korbo lot — I've asked in other departments as well, and we've been asked to ask it here. The cleanup is complete. What is the government planning to do with this land?

Hon. Mr. Istchenko: That's something I'll be talking about with my colleague, the minister responsible for Yukon Housing Corporation, and our caucus — the future plans for the Korbo lot.

Mr. Silver: Okay. It's hard to pin down a particular minister on this particular question, so I will move on to another question. I've talked to the minister about this already — the Top of the World Highway. We are looking for a status and policy for plowing in the fall. This particular section of road is plagued with problems, such as potholes. It's chipsealed currently, but when the ban comes off on the highways, this particular part of the highway is still soaking wet and it gets a lot of rough traffic at that time. I know the minister has a plan to change part of the road and to go back to just plowing and calcium. We would like to know where exactly this is going to start.

We would also like a commitment to the budget as well. We're wondering if the budget is going to change for the maintenance for that particular section of highway.

Hon. Mr. Istchenko: Just in passing, I alluded to our budget for that, which is between \$1.4 million and \$1.6 million every year for the Top of the World. We haven't changed our commitment every year.

Like I alluded to when the Member for Copperbelt South mentioned to me about the potholes — it was a rough summer last year. What we're looking at with the Top of the World, like I had said, is some of the areas — we understand that when we open up the road, we use Cats and we use blowers to get the road open first thing in the spring. As soon as we open the road, it's imperative that the miners get to their claims so they can get busy mining and have a good season. So, there is a lot of heavy truck traffic. There is a lot of heavy equipment traffic on the road. Some of the areas get hit hard.

The member spoke about even after the road bans are off and the road's wet, it's at a higher elevation and doesn't dry out quite as fast. We're looking at going to gravel and calcium on that. With the stretches that are chipsealed and are good, we're going to keep them that way. They're good stretches. They need the odd pothole fixed and the chipseal, which is fine. Some of the areas that would take rip and reshape, rip and reshape every year — it's more cost-efficient and would turn up the budget of that probably double to get up there and work on it.

So we're committed to keeping the road in the condition it is and some of the areas where the chipseal has gone to heck — for lack of a better term — we will blade it, calcium it, spend more time with a grader on it and it should be in better condition.

Mr. Silver: Just a couple more questions for the minister. The future of McDonald Lodge — like I mentioned here before in the House, Dawson is a rumour mill sometimes and we've been hearing rumours of the McDonald Lodge. We know that they're going to be building a new facility attached to the new hospital. The old structure is rumoured to be demolished and we're wondering if the minister responsible for Public Works can comment on that.

Hon. Mr. Istchenko: That's a little bit like the Korbo. I can't comment on it. It's something on which I have to work with my fellow colleagues and we haven't made that decision yet.

Mr. Silver: So is the minister saying that he does not know if the decision has been made, or a decision has not been made by his government?

Hon. Mr. Istchenko: I'm not in a position to make a commitment.

Mr. Silver: I think I got my answer.

Just one more question on travel policy and this is another question — sorry if all my questions are the ones that have been redirected to you from other ministers. Travel policy — we were just wondering about travel policy for flights and WestJet. Is the government currently booking flights on WestJet and how much money did they spend with WestJet — with this particular airline?

Hon. Mr. Istchenko: I don't have those exact figures in front of me, but I can commit to the member to get them for air travel last year.

Mr. Elias: I've got a question for the Minister of Highways and Public Works.

As he is well aware, our community of Old Crow — led by the Vuntut Gwitchin First Nation — has developed a very strong business case for a winter road this year to our community of Old Crow. Obviously, the minister is well aware that yesterday the Vuntut Gwitchin First Nation cancelled that winter road due to climatic conditions with snow depth being basically the problem.

I guess my question is that in the main budget or the supplementary budget our community didn't see a line item with a commitment to a partnership with the community of Old Crow from the territorial government or from the minister's office to assist in the building of a winter road, in recognition of its importance not only to the territorial government but the federal government, the community and the Vuntut Gwitchin First Nation government.

With the spring main estimates coming in 2013-14, somewhere in March, more than likely, is the minister prepared to commit to a specific line item to a partnership with the community of Old Crow to attempt to build another winter road from the Dempster Highway to the community of Old Crow?

It's incredibly important because a winter road is necessary to engage in so many other projects that need to get off the ground in the community. Not only is it to take out contaminated waste or to build buildings or to ensure our citizens have access to cheaper ways to ensure their lifestyles are comparable to those of southern Yukon, but it's also important for a healthy community. It's amazing the hundreds of millions of dollars that are spent for the 5,000 kilometres plus of road the minister is responsible for around the territory, yet our community of Old Crow and the Vuntut Gwitchin government has to spend half of the cost to ensure access to our community. The rest of the communities don't have to do that.

The ultimate goal for our community is for the territorial government to also recognize that they have programs and services and accountability to the community of Old Crow and

that, hopefully, every three years there is a line item in the budget for our community to have road access to the outside world. I'm asking on behalf of my constituents that there be a line item in the 2013-14 budget that recognizes the importance of a winter road access to our community. It's very unfortunate; we have a lot of upset constituents because we had to cancel the road yesterday. I look forward to having more detailed discussions with regard to the business case with the minister on behalf of our community members. I'm actually going to be meeting with Chief Linklater today to talk about it after this session has concluded to see what our options are for our community because there are so many projects that have now come to a screeching halt. It's very unfortunate, dealing with the weather like this, but this is a fact of climate change. This might be a blessing in disguise so that we can develop and strengthen the partnership with the territorial government, the federal government and other agencies and industry as well. I'd like to hear the minister's comments with regard to that.

Hon. Mr. Istchenko: Madam Chair, road access to communities is something that most Yukoners take for granted. Being able to go pick up a washer and dryer that's on sale in the Canadian Tire flyer or at Staples — well, not Staples, but one of the businesses — is something we take for granted. I totally understand the member opposite's concern for his community.

I want to reiterate to the residents of Old Crow that we're committed to working with VGFN on this. It's not a line item because the \$700,000 is in the variances and it's set aside for next year to work with them. I'm very happy about that. Quite often in this House, we hear concerns about not working together with First Nations, but this is a very incredible case of our department working hand in hand with VGFN on putting a business case together and our department working with the other departments on opportunities to bring new items, whether it's something with Yukon Housing or with EMR or whether it's something within my department, and for the residents to be able to have cheaper access to get some of the bigger items that they would like to bring into their community. I really want to thank the department for the hard work they've done on this case, especially Allan, who's standing beside me here, and the commitment from VGFN to work with us and also to work with the member opposite on this file. I look forward to continuing the great working relationship we all have.

Mr. Elias: Just a few other comments — during the next coming year, if the minister could discuss at the Cabinet level with his other colleagues, because there are a lot of responsibilities in Environment, Community Services, Justice, I believe; obviously Highways and Public Works, and even Education. There are responsibilities within the community of Old Crow — programs and services — with his Cabinet colleagues that could be strengthened in the line item for next year. I'm very encouraged and glad to hear that there has been somewhat of a variance commitment on behalf of the minister's department.

On behalf of my constituents, I thank you.

Mr. Tredger: I'd like to welcome the officials to the Legislature and thank them for their answers and work with

Highways and Public Works. I'd also like to echo the minister's tribute this morning and acknowledge the work of the highway crews around the Yukon.

In my area, it's a long, dark distance at this time of year from one community to the next. I commend the road crews for their efforts to keep our communities accessible and the roads safe. I thank you very much.

The minister mentioned a penny a kilometre for overweight. This is for the ore haul trucks. Can he tell us how much is collected and, at the same time, estimate the extra costs incurred by the additional heavy traffic on the roads? I know the minister has mentioned a couple of times how decisions have to be made about whether to stay on the main road or move to the side roads. We have talked about potholes and road deterioration on the Robert Campbell Highway and the additional heavy truck traffic from our industrial users. Have the extra costs been estimated, and is that taken into account with the ore hauling permits and the revenue derived from that?

Hon. Mr. Istchenko: When we spoke about the ore haul trucks, it was a penny a kilometre over 65,000 — legal axle rate. But the further you haul, of course, the more money we get.

I want to speak a little bit to that — those are the bulk haul agreements. We are working with Alaska, actually. We work with Alaska quite a bit on many issues, because we have something in common — we have road access and go back and forth, and we go into the port of Skagway. So this is something we're looking at and looking to have more of a common fee.

Another thing that does get missed on this when it comes to the O&M portion of things — there are bulk haul agreements for the ore trucks, but it's the equipment that maybe one of the mines is hauling in there — that's not covered under the bulk haul. It's all the other traffic that we have — the tourists, the motorhomes and everything else that goes along with that. So it's a bigger picture when it comes to the road maintenance, but we do have bulk haul agreements with the ore trucks.

I'd just like to add — regarding our people at the scales and safety, we have impeccable safety records with the ore trucks that we have out there with the travelling public. Sometimes there are challenging conditions and last summer — we alluded to that. I was very impressed with how they operate in such a safe manner.

Mr. Tredger: If I am given to understand, then, there is no additional charge to companies that are hauling on our roads as long as they meet the weight requirements. The first part of my question: How much revenue are we accruing from the ore haul agreements and how much additional money do we have to put into our highways to maintain them in passable condition as the industrial use increases?

Hon. Mr. Istchenko: Thank you, Madam Chair, and I thank the member opposite. I just want to get back to the member opposite with when it comes to the vehicles hauling the equipment. They have to follow the requirements. They are required to get permits at the scales, which they have to pay for and everything else. When it comes to the bulk haul permits and the revenue that we're bringing in for it, I'll commit to the member to get that. I don't have those numbers for him right

here, but we can get those numbers for you. I'll get them to you.

Mr. Tredger: I would assume that some type of assessment has been done to determine what kinds of risks are incurred as we get more and more traffic — not only the weight — and I understand they do run safely and they do run under limit, but instead of one or two trucks running, we now have 10 or 20 or an increasing number. That has to increase the stress on the road, but it also means our crews have to be out on the road sooner and quicker because it becomes very dangerous when there are big trucks going up and down the road on a snowy day. If there have been any assessments or risk assessment done on that so that you can estimate future costs, can you determine the cost to Highways and can member share that with me?

I did have a couple of more questions. One is the heating system in the Whitehorse Correctional Centre, which was fairly innovative and used wood heat. Can the minister give us an update on that, please?

Hon. Mr. Istchenko: Pellet heat — it's a contract where we use pellets. I believe that we estimated we use about 400 tonnes of pellets a year, and it's warm in the correctional facility during the cold weather.

Mr. Tredger: I've heard a number of references to climate change and the concerns about climate change. I just read an article that talked about over a billion dollars in costs across Canada in the last year alone — kind of a frightening figure. The minister talked about the abnormal amount of rain last summer. The Member for Vuntut Gwitchin mentioned the excess of snow this winter that is having a definite effect on our infrastructure. I know in the buildings we were concerned about melting permafrost. Right now our weather has become increasingly unpredictable.

This year was wetter; other areas it has been drier. Any projections coming from climate change say that's exactly what it'll be: the weather patterns will be more severe but they will become more unpredictable. Perhaps more moisture becomes the new normal in the Yukon.

Have there been any projections done by Highways and Public Works to attempt to get ahead of the curve and try to estimate what kinds of buildings and changes will be made in the engineering aspect of them so that we can put the extra money into Highways and Public Works now, so we can get ahead of the game so that our roads are engineered in a way that we can handle floods, so that our buildings are prepared for the new normal? Are there any estimates and increased costs that Highways and Public Works will be requiring to meet these needs?

Hon. Mr. Istchenko: I thank the member opposite for the question. This is something back in the day when I actually worked for the department. I saw what the permafrost does to roads and it's pretty frustrating. Highways and Public Works is working with the college, with the research centre, coordinating on the vulnerability to our infrastructure that comes with climate change. I know there have been some studies that are online. We also have some projects within our department that we're working with, especially when it comes to permafrost.

Another thing that we've done in the department with engineering — as time goes on, as new technologies come forward, we look at those technologies and we look at how they could be better used to adapt to climate change.

I alluded to earlier that, with the excess rain and stuff like that, when we look at the standards required for building roads, we look at maybe putting in larger culverts, taking into consideration the changing times with climate change.

Mr. Tredger: Are there any estimates of future costs or projected costs to re-engineer the roads and the buildings?

Hon. Mr. Istchenko: I don't think we have a big-scale picture on that. What we do is work with each project. With each project, we take into consideration climate change now. We have the *Climate Change Action Plan*. We work with Environment and, like I alluded to earlier, with Yukon College research and the new technologies that are out there when we do build infrastructure.

Ms. Moorcroft: I have another issue that I would like to ask the minister to respond to. Madam Chair, we have made a lot of strides in promoting women's legal, social and economic equality.

We have the *Charter of Rights and Freedoms*, which sets out women's equality rights, and we have Yukon's own *Human Rights Act*. So I would have thought the Yukon government had reached a point where public education campaigns would not be based on offensive and sexist images of scantily clad women.

When we were in debate on the Women's Directorate, my colleague was asking the minister responsible about gender and diversity training and about the work that the Women's Directorate did in collaborating with other departments to promote living up to our obligations for women's equality. The Department of Highways and Public Works has a number of policy analysts who work for it. Highways and Public Works as well as the Women's Directorate is represented on the Deputy Ministers Review Committee, the policy review committee and the communications committee. There is gender and diversity training available, as I understood it, and I would like the minister to assure me that all Highways and Public Works policy analysts would take advantage of that gender and diversity training and that the Department of Highways and Public Works would work with the Women's Directorate to make sure that their public education campaigns are respectful. The Hal-LOWE'EN poster not only had images of women that were offensive, but some of the young people in that poster looked to be well under legal drinking age, so I don't think that is particularly appropriate for a designated driver poster campaign.

I'd like to ask the minister — because I just don't understand how it could happen — how the Highways and Public Works anti-drinking and driving campaign posters were not flagged as stereotyping images of women's sexuality inappropriately?

Hon. Mr. Istchenko: I just want to say the goal of the "Be the Life of the Party" campaign was to reduce impaired driving. That's what the poster was about — among 19 to 30-year olds, the group most likely to die in drinking and driving incidents. The message in this ad is that you can be the life of

the party by being the designated driver and that you can have fun without drinking.

This campaign has been relevant in effectively speaking to this target audience. It promoted a lively discussion on social media. The vast majority of people commented on this ad and the majority of people who commented on this ad liked the ad. It was shocking. The father of a daughter who died in a drunk driving incident commented that the ad was shocking. There were a lot of people talking about it on Facebook and people were talking about the ad and talking to their friends — young people who are in this core group of people who are the ones who commit the offences. When I went up with Mothers Against Drunk Drivers — the president of Mothers Against Drunk Drivers, why I'm wearing this pin here today — I spoke to her about that and she told me that's a great poster. We have a designated driver campaign out right now. We go on, we pick all different kinds of people; we don't segregate. I might add that most of our policy analysts within our department are women, with one exception.

I want to add also that this ad was based on a very successful campaign that the Northwest Territories ran. That's all I have to say on that.

Ms. Moorcroft: I do support reducing impaired driving. I do not have an issue with provocative thinking, and I do not have a problem with lively discussions, but I might point out that people are currently talking about the Christmas ads for designated drivers and all of the models are fully clothed. I want this minister to assure me that he does not believe that it is appropriate for government advertising campaigns to feature sexist and offensive images of women. I also want the minister to assure me that when his department develops either policy or advertising campaigns, they will work with the Women's Directorate and that they will ensure that a gender lens is applied before a final product is approved for distribution, whether that is an ad or whether that is a new policy.

Hon. Mr. Istchenko: Like I said before, the idea of the "Be the life of the party" advertising campaign is to reduce impaired driving among young people — 19-year olds to 30-year olds.

I'm glad the member opposite thinks the same way that I do, that we would like to reduce this. I know people who have lost people to impaired driving. I commend our department for the job they do with this. Social media — things have changed and we're working and looking in a forward direction to getting and discussing the issues with Yukoners, whether it be impaired driving or driving slower through construction zones. This is something we strive for, and the more people we can keep off the roads who are impaired is a good job that we do.

Ms. Moorcroft: I will repeat that I believe you can reduce impaired driving without discriminating against women. I believe you can reduce impaired driving without featuring sexist and offensive images of scantily clad women. In order to avoid something like this happening again, I will repeat my question for the minister. Will the minister make a commitment to this House that he will ensure that his department engages fully with the Women's Directorate to advance women's equal-

ity and to ensure that all initiatives of the department are ones that respect women?

Hon. Mr. Istchenko: We have a lot of employees in Highways and Public Works, and I'm proud of the employees and the job that they do. I'm proud that our department put red ribbons on our fleet vehicles in support of the impaired driving campaign. This is what this poster was about. It was about impaired driving. That's all it was about.

Ms. Moorcroft: I'll ask the minister again. Does the minister agree that it would be advisable and appropriate for the Department of Highways and Public Works to work cooperatively with the Women's Directorate on future initiatives?

Hon. Mr. Istchenko: We work with many departments on many things. We're always working with different departments.

Ms. Moorcroft: Could the minister share with us what his commitment, if any, is to women's equality?

Hon. Mr. Istchenko: I'll have to get back to the member opposite on that.

Chair: Is there any further general debate on Vote 55, Department of Highways and Public Works?

We will proceed line by line.

Ms. Moorcroft: Pursuant to Standing Order 14.3, I request unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required.

Some Hon. Member: (Inaudible)

Point of order

Hon. Mr. Cathers: Madam Chair, before you call question on that, from a procedural aspect I believe if the motion were to be negated, we cannot return to it. I believe the Member for Vuntut Gwitchin was standing and I'm not sure whether or not he was entering into general debate, but I wanted to draw that to your attention.

Chair: Did you have anything further under general debate?

On the point of order, Mr. Elias.

Mr. Elias: I'd just like to thank the Government House Leader for recognizing that I was standing. Sometimes this happens in this House, but I can defer my question to the minister himself personally with a telephone call tomorrow morning. Thank you.

Unanimous consent re deeming all lines in Vote 55, Department of Highways and Public Works, cleared or carried

Chair: Ms. Moorcroft has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: We appear to have unanimous consent.

*On Operation and Maintenance Expenditures
Total Operation and Maintenance Expenditures in the amount of \$4,623,000 agreed to
On Capital Expenditures*

Total Capital Expenditures in the amount of \$18,614,000 agreed to

Department of Highways and Public Works agreed to

Chair: We're going to move on to Vote 2, Executive Council Office in Bill No. 7, *Second Appropriation Act, 2012-13*. Committee of the Whole will recess for 10 minutes while we await officials.

Recess

Chair: Order. Committee of the Whole will now come to order. The matter before the Committee is Vote 2, Executive Council Office, in Bill No. 7, *Second Appropriation Act, 2012-13*. Mr. Pasloski has the floor with 18 minutes and two seconds remaining.

Executive Council Office — continued

Hon. Mr. Pasloski: Madam Chair, we are now discussing Executive Council Office. As I've described, there are two new items included in this supplementary. First noted both on O&M expenditures and recovery votes, under programs entitled "Commissioner's Office" is an increase of \$8,000. This reflects a new administrative arrangement with the federal Department of Aboriginal Affairs and Northern Development, which will consolidate the entire budget for travel and support for the office of the Commissioner into a single financial framework managed by Government of Yukon.

This change is in response to a request from the Commissioner and will offer his office more efficient accounting processes for eligible travel and communication support costs, so he doesn't have to do paperwork for us and for the federal government. It will just be more efficient for his office. The amount for this year reflects the administrative change becoming effective partway through the fiscal year. Commencing in the next budget, the full amount of \$15,000 will be reflected in the Executive Council Office in both the expenditure and recovery votes.

The second new item included under the program, "Land Claims and Implementation Secretariat", is a request for spending authority in the amount of \$25,000 for a contribution to be made to the Truth and Reconciliation Commission toward the cost of a regional event that has now been identified and offered to Yukoners in early 2013. This request for support was received this fall, and the supplementary is the first opportunity to request authority to enter into a new contribution agreement.

The other elements for the supplementary, as I mentioned before — in the operation and maintenance vote, there is an increase for the development of consultation protocols for the White River and Liard First Nations.

This work commenced in the previous year and has continued into this fiscal year. In this vote, there are also decreases for the following: Bureau of Statistics — work on the follow-up activities related to the census for 2011 — this work is now to be spread over this year and next; Land Claims and Implementation activities in departments; Water Board expenses due

to partial-year vacancies and membership and reduced expenses for youth leadership activity programs.

For the capital vote, there are increases reflected for the following: office furniture and equipment expenses associated with the relocation of the Development Assessment branch in the Elijah Smith Building; and information technology equipment and systems associated with the continued development of an on-line registry application for the Yukon Water Board Secretariat.

Ms. White: I just have one question. Back in May of this year, we were discussing the auspiciousness of the Executive Council Office. I'm just going to quote from the Premier — and this is in relation to what you were saying the definition of the office was in relation to my question about moving the Youth Directorate from ECO to Health and Social Services, which I would still be interested in seeing, but that's not where my focus is right now. So this is what you had to say about the office: "The Executive Council Office is really about a leadership role. Leadership is under the auspices of Executive Council Office." This is still in relation to the Youth Directorate. I think that having it under the auspices of Executive Council Office in the leadership role defines it in a much larger degree, if that makes sense in terms of increasing the scope of what can be done. Understanding the Executive Council Office is a leadership role — and I brought this up in May of this year — I'm wondering if there has been any more consideration about moving the French Language Services Directorate from the vastness of Highways and Public Works into a much more accessible area like Executive Council Office? It's all about leadership.

Hon. Mr. Pasloski: I thank the member opposite for the question. The department has been doing some analysis on governance for the French Language Services Directorate and the Women's Directorate. As you're aware, both of those have been unique in that the reporting mechanism has been different. We are, as we speak, looking at an analysis of governance for these directorates and, at this point, don't have any progress to report on that.

Ms. Hanson: Before I start, I would like to thank the officials for their briefing. It was thorough and, as a result of that, I only have really one question. I think most of the other questions, to my recollection and to my note taking, were answered at the time when we were doing the briefing. The Water Board Secretariat, as it is noted here, has a reduction of \$16,000 due to vacancies for the partial year. My question is simply: Are the Water Board appointments now full strength? Is the Water Board operating at full strength? Are all appointments by all the bodies who appoint members to the Water Board up to date? If not, when would we anticipate seeing the Water Board at full complement?

Hon. Mr. Pasloski: The Water Board is comprised of three members from representatives put forward through Council of Yukon First Nations, three members from Yukon government, three members from the federal government. Right now there is one vacancy and it is a Yukon government vacancy. We are in the process of reviewing people who would be eligible for that position.

I look forward to having an announcement to fill that vacancy in the near future.

Ms. Hanson: Pursuant to Standing Order 14.3, I would request the unanimous consent of Committee of the Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required.

Hon. Mr. Cathers: Madam Chair, I would point out that the Leader of the Third Party and the Member for Vuntut Gwitchin have not had an opportunity to ask questions. Perhaps the member might want to reconsider her request before we are forced to disagree with it.

Ms. Hanson: Madam Chair, I have cleared this issue and discussed it with the Independent member. I cannot speak for the other member; it is his choice.

Unanimous consent re deeming all lines in Vote 2, Executive Council Office, cleared or carried

Chair: Ms. Hanson has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$7,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$13,000 agreed to

Executive Council Office agreed to

Chair: Next up is Department of Energy, Mines and Resources. Committee of the Whole will now consider Vote 53, Department of Energy, Mines and Resources. Mr. Cathers has the floor with 12 minutes and 40 seconds remaining.

Hon. Mr. Cathers: Madam Chair, if I could get a few minutes for officials and my binders. I was anticipating debate from the Third Party.

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

Recess

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

Department of Energy, Mines and Resources — *continued*

Chair: The matter before the Committee is Vote 53, Department of Energy, Mines and Resources. Mr. Cathers has the floor, with 12 minutes, 40 seconds remaining.

Hon. Mr. Cathers: In providing comments in conclusion on the Department of Energy, Mines and Resources budget, I'd like to begin first of all by thanking the staff at Energy, Mines and Resources for the good work they do, each and every day, on behalf of the government and all Yukon citizens. The various branches, of course, include Corporate Services,

Sustainable Resources, Energy, Corporate Policy and Communications, Oil and Gas Resources, Mineral Resources, and Client Services and Inspections. Within those areas there are a number of branches, which themselves contain major responsibilities, including Agriculture branch, Land Management branch, Land Planning and Forestry Management branch, Oil and Gas Resources; Mineral Resources branch and, of course, the Yukon Geological Survey and also our Energy Solutions Centre within Energy, Corporate Policy and Communications.

Madam Chair, I would like to thank the staff for the work that they do and the support that they provide to me and the work that they provide in terms of both large policies and the day-to-day handling of the many issues and client files that they deal with on behalf of Yukon citizens, as I mentioned in my remarks when we were up in Committee before. The range of responsibilities of the Department of Energy, Mines and Resources really covers the whole gamut of natural resource management and includes responsibility for most of the natural resource regulations within the territory.

This supplementary budget, as I've noted, is in fact a decrease overall from the main estimates this year. The work of the Department of Energy, Mines and Resources' staff reflects our steadfast commitment to responsibly manage resource development.

Madam Chair, it's important to note that a —

Some Hon. Member: (Inaudible)

Chair: Ms. White, on a point of order.

INTRODUCTION OF VISITORS

Ms. White: I'd like to take this opportunity to welcome our spectacular staff to the gallery. We have Ryan Stewart, our chief of staff. We have Denise Leschart, our phenomenal front counter woman. We have Boyd Pyper, our researcher, and Eleanor Millard, our researcher as well, and an unnamed staff member. So if we could all join together and welcome our staff to the gallery. Thank you for being here.

Applause

Hon. Mr. Cathers: I'm surprised to hear that the NDP has staff members who don't have names, but welcome all to the gallery. I would also like to thank, as we wrap up this fall sitting, in addition to staff of Energy, Mines and Resources, staff of all departments of the Yukon government for the good work they do. Thanks to the staff of our Cabinet and caucus office for their support to us on a daily basis. I would like to also thank staff of the Legislative Assembly and staff of *Hansard* for their ongoing support, and to wish all members of the Assembly and all of the staff of government, Legislative Assembly Office, Elections, *Hansard* and so on — and anyone who is listening. A very merry Christmas and a happy and prosperous New Year for them and their families.

As we conclude, I would like to point out that, although there are many issues that divide us and debate can be quite heated and intense at times, I think that fundamentally members of this Assembly, as with most Yukoners, share certain values in common, including a desire to see a territory that has clean air, clean water and remains a beautiful area for future

generations. We also want to see a strong, diversified economy that provides for our families, our friends, our communities and, indeed, for all Yukoners. With that, as time draws to a close, Merry Christmas and Happy New Year to everyone.

Termination of sitting as per Standing Order 76(1)

Chair: Order please.

The time has reached 5:00 p.m. on this, the 28th day of the 2012 fall sitting. Standing Order 76(1) states: “On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

“(a) put the question on any amendment then before the Committee;

“(b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;

“(c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and

“(d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.”

It is the duty of the Chair to now conduct the business of Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the Government House Leader to indicate whether Bill No. 7, Bill No. 51 and Bill No. 49, the government bills now before Committee of the Whole, should be called.

Hon. Mr. Cathers: Madam Chair, the government directs that Bill No. 7, Bill No. 51 and Bill No. 59 be called at this time.

Bill No. 7: Second Appropriation Act, 2012-13 — continued

Chair: The Committee will now deal with Bill No. 7, entitled *Second Appropriation Act, 2012-13*. The Chair will now recognize Mr. Pasloski, as the sponsor of Bill No. 7, for the purpose of moving a motion, pursuant to Standing Order 76(1)(b).

Hon. Mr. Pasloski: Madam Chair, I move that all clauses, schedules and the title of Bill No. 7, entitled *Second Appropriation Act, 2012-13*, be deemed to be read and carried.

Chair: It has been moved by Mr. Pasloski that all clauses, schedules and the title of Bill No. 7, entitled *Second Appropriation Act, 2012-13*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Hon. Mr. Pasloski: I move that you report Bill No. 7 without amendment.

Chair: It has been moved by Mr. Pasloski that Bill No. 7 be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Chair: The Committee will now deal with Bill No. 51, *Residential Landlord and Tenant Act*.

Bill No. 51: Residential Landlord and Tenant Act — continued

Chair: The Chair will now recognize Ms. Taylor as the sponsor of Bill No. 51 for the purpose of moving a motion, pursuant to Standing Order 76(1)(b).

Hon. Ms. Taylor: I move that all clauses and the title of Bill No. 51, *Residential Landlord and Tenant Act*, be deemed to be read and carried.

Chair: It has been moved by Ms. Taylor that all clauses and the title of Bill No. 51, entitled *Residential Landlord and Tenant Act*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Hon. Ms. Taylor: Madam Chair, I move that you report Bill No. 51 without amendment.

Chair: It has been moved that Bill No. 51 be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Bill No. 49: Act to Amend the Oil and Gas Act, 2012

Chair: The Committee will now deal with Bill No. 49, *Act to Amend the Oil and Gas Act, 2012*. The Chair will now recognize Mr. Cathers as the sponsor of Bill No. 49 for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

Hon. Mr. Cathers: I move that all clauses and the title of Bill No. 49, entitled *Act to Amend the Oil and Gas Act, 2012*, be deemed to be read and carried.

Chair: It has been moved by Mr. Cathers that all clauses and the title of Bill No. 49, entitled *Act to Amend the Oil and Gas Act, 2012*, be deemed to be read and carried. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Hon. Mr. Cathers: Madam Chair, I move that you report Bill No. 49 without amendment.

Chair: It has been moved by Mr. Cathers that Bill No. 49, entitled *Act to Amend the Oil and Gas Act, 2012*, be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Chair: As all government bills identified by the Government House Leader have now been decided upon, it is my duty to rise and report to the House.

Speaker resumes the Chair

Termination of sitting as per Standing Order 76(2)

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. 7, entitled *Second Appropriation Act, 2012-13*, and directed me to report it without amendment.

Committee of the Whole has also considered Bill No. 51, entitled *Residential Landlord and Tenant Act*, and has directed me to report it without amendment.

Finally, Committee of the Whole has considered Bill No. 49, entitled *Act to Amend the Oil and Gas Act, 2012*, and has directed me to report it without amendment.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Standing Order 76(2)(c) states: "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall:

"(c) with respect to each Government Bill on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading."

I shall therefore ask the Government House Leader to indicate whether Bill No. 48, the only government bill now standing at second reading, should be called.

Hon. Mr. Cathers: The government directs that Bill No. 48 be called for second reading at this time.

GOVERNMENT BILLS

Bill No. 48: *Act to Amend the Access to Information and Protection of Privacy Act* — Second Reading — continued

Clerk: Second reading, Bill No. 48, standing in the name of the Hon. Mr. Istchenko.

Hon. Mr. Istchenko: I move that Bill No. 48, entitled *Act to Amend the Access to Information and Protection of Privacy Act*, be now read a second 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 read a second time. As no debate or amendment is permitted, I shall put the question. Are you agreed?

Some Hon. Members: Agreed.

Some Hon. Members: Disagreed.

Speaker: I believe the ayes have it. I declare the motion carried.

Motion for second reading of Bill No. 48 agreed to

Speaker: Pursuant to Standing Order 76(2)(c), Bill No. 48 now stands ordered for third reading. Standing Order 76(2)(d) states, "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall:

"(d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,

"(i) receive a motion for Third Reading and passage of the bill, and

"(ii) put the question, without debate or amendment, on that motion."

I shall, therefore, ask the Government House Leader to indicate whether Bill No. 7, Bill No. 51, Bill No. 49 and Bill No. 48, the government bills now standing at third reading, should be called.

Hon. Mr. Cathers: Mr. Speaker, the government directs that Bill No. 48, Bill No. 49, Bill No. 51, and Bill No. 7, be called for third reading at this time.

Bill No. 48: *Act to Amend the Access to Information and Protection of Privacy Act* — Third Reading

Clerk: Third reading, Bill No. 48, standing in the name of the Hon. Mr. Istchenko.

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

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 read a third time and do pass.

As no debate or amendment is permitted, I shall put the question. Are you agreed?

An Hon. Member: Division.

Speaker: Division requires two members to stand simultaneously and repeat "Division" at the same time. Only one member stood and asked for Division.

Motion for third reading of Bill No. 48 agreed to

Speaker: I declare the motion carried and that Bill No. 48 has passed this House.

Bill No. 49: *Act to Amend the Oil and Gas Act, 2012* — Third Reading

Clerk: Third reading, Bill No. 49, standing in the name of the Hon. Mr. Cathers.

Hon. Mr. Cathers: I move that Bill No. 49, entitled *Act to Amend the Oil and Gas Act, 2012*, be now read a third time and do pass.

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, 2012*, be now read a third time and do pass.

As no debate or amendment is permitted, I shall put the question. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pasloski: Agree.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: Disagree.

Ms. Stick: Disagree.

Ms. Moorcroft: Disagree.

Ms. White: Disagree.

Mr. Tredger: Disagree.

Mr. Silver: Disagree.

Clerk: Mr. Speaker, the results are 10 yea, six nay.

Motion for third reading of Bill No. 49 agreed to

Speaker: I declare the motion carried and that Bill No. 49 has passed this House.

Bill No. 51: Residential Landlord and Tenant Act — Third Reading

Clerk: Third reading, Bill No. 51, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: Mr. Speaker, I move that Bill No. 51, entitled *Residential Landlord and Tenant Act*, be now read a third time and do pass.

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

As no debate or amendment is permitted, I shall put the question. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pasloski: Agree.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: Disagree.

Ms. Stick: Disagree.

Ms. Moorcroft: Disagree.

Ms. White: Disagree.

Mr. Tredger: Disagree.

Mr. Silver: Agree.

Mr. Elias: Agree.

Clerk: Mr. Speaker, the results are 12 yea, five nay.

Motion for third reading of Bill No. 51 agreed to

Speaker: I declare the motion carried and that Bill No. 51 has passed this House.

Bill No. 7: Second Appropriation Act, 2012-13 — Third Reading

Clerk: Third reading, Bill No. 7, standing in the name of the Hon. Mr. Pasloski.

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

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

As no debate or amendment is permitted, I shall put the question. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pasloski: Agree.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Graham: Agree.

Hon. Mr. Kent: Agree.

Hon. Mr. Nixon: Agree.

Ms. McLeod: Agree.

Hon. Mr. Istchenko: Agree.

Hon. Mr. Dixon: Agree.

Mr. Hassard: Agree.

Ms. Hanson: Disagree.

Ms. Stick: Disagree.

Ms. Moorcroft: Disagree.

Ms. White: Disagree.

Mr. Tredger: Disagree.

Mr. Silver: Disagree.

Mr. Elias: Agree.

Clerk: Mr. Speaker, the results are 11 yea, six nay.

Motion for third reading of Bill No. 7 agreed to

Speaker: I declare the motion carried and that Bill No. 7 has passed this House.

We are now prepared to receive the Commissioner of Yukon, in his capacity as Lieutenant Governor, to grant assent to bills which have passed this House.

Commissioner Phillips enters the Chamber, announced by the Sergeant-at-Arms

ASSENT TO BILLS

Commissioner: Please be seated.

Speaker: Mr. Commissioner, the Assembly has, at its present session, passed certain bills to which, in the name and on behalf of this Assembly, I respectfully request your assent.

Clerk: *Second Appropriation Act, 2012-13; Residential Landlord and Tenant Act; Act to Amend the Oil and Gas Act, 2012; Act to Amend the Access to Information and Protection of Privacy Act.*

Commissioner: I hereby assent to the bills as enumerated by the Clerk.

Before I leave here today, I want to send a message to all members of the House and all Yukoners and wish them a very Merry Christmas, a happy and safe holiday season, and to wish you the best in 2013. As well, since I have the floor, I'd like to plug the New Year's Levee, which is taking place on January 1, but the reason I wanted to mention it is we are changing the location because we have over 20 Diamond Jubilee medals to award. It will take place at the Kwanlin Dun Cultural Centre, at 2:00 p.m. on January 1. I'm hoping that the members here and many Yukoners have the opportunity to attend that event and celebrate with the many Diamond Jubilee recipients who will be there.

Again, today I flew in from the bush. As some of you knew, I was out in the bush, and I now know what it's really like to have the hair stand up on the back of your neck when you're trying to get to Whitehorse in a snowstorm. It was an exciting day, and it's culminating with the closure of the session here today.

I know this is more than a pleasant day for some members in the House now that the session is over. Again, I wish you all well in 2013.

Commissioner leaves the Chamber

Speaker: I will call the House to order. Please be seated.

Before we adjourn, I would like to wish all of my colleagues a very Merry Christmas and we look forward to seeing you in the New Year. Enjoy the little bit of a break you are all going to get. I know I will.

As the House has reached the maximum number of days permitted for this fall sitting and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned.

The House adjourned at 5:22 p.m.

The following Sessional Paper was tabled December 12, 2012

33-1-67

Yukon Department of Education 2011 – 2012 Academic Year Annual Report (Kent)