

**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, March 27, 2013 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of National Nutrition Month

Hon. Mr. Graham: I rise at this time on behalf of all members of the Legislature, in tribute to National Nutrition Month, which is March of each year.

Each year in March, the Dietitians of Canada celebrate Nutrition Month. This is a time when nutritionists all over the country work together to help raise our awareness about the importance of healthy food for a healthy life. This year's theme is "Best Food Forward: Plan Shop Cook Enjoy!" With this theme, the Dietitians of Canada want to encourage all of us to plan our home meals ahead of time before going to the grocery store. If we have a list of the ingredients we will need, we can avoid impulse buying and the kind of buying that may not be as nutritionally valuable as we would like and we should have. I don't want to imply that going to the grocery store should be like going into battle. I do know that if you arm yourself with a list of what you will need, you will emerge victorious.

Dietitians encourage the use of fresh foods, such as vegetables, fruits, whole grains, milk products, dried legumes, and unseasoned meats, fish and poultry. If fresh is not available, frozen is a fine substitute, as long as it too is low in sodium.

This year the Department of Health and Social Services community dietitian has taken an active role in raising awareness of healthy eating. If you live in Whitehorse, you may have seen her in one of our local grocery stores giving demonstrations on how to read food labels and choose healthier foods. As well, she has been on CBC twice a week during March talking about different aspects of nutrition. Her topics include how to organize your fridge, misleading food labels, healthy snacking, the nutritional value of frozen foods and other topics.

One of the most important aspects of healthy eating for Canadians is reducing our salt intake. The chronic conditions unit of Community Nursing ran a series of public blood-pressure clinics in February and March of this year. This is something that the Premier and I took advantage of and we won't tell you who had the lower blood pressure or why, but the intent was to detect abnormally high blood pressure before it became a risk. The biggest risk factor in high blood pressure is eating too much salt. The dietitians working in the territory all have the same goal: trying to ensure that we eat as healthily as possible in order to remain as healthy as possible. Most Yukoners are physically active and understand the relationship

between eating nutritious foods and being strong and healthy. Dietitians provide us with the information we need to navigate the confusing choices that we have available.

I also received a very nice letter and campaign literature from the Dietitians of Canada, and they tell me that the association represents all registered dietitians in Canada. We have 12 registered dietitians in the Yukon recognized. We want to thank all our dietitians in the Yukon — and the dietitians of Canada who back up these people — for the healthy food information they provide to all of us. Thank you very much, Mr. Speaker.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Speaker: I would like to introduce Conrad Tiedeman. It is nice to see Conrad back. He has been a fan of ours since we started. I am wondering if he is eyeing up one of the chairs, so members might want to keep him in mind.

Thanks for joining us, Conrad.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Kent: Mr. Speaker, I have for tabling the audited financial statements for Yukon College, up to June 30, 2012.

Hon. Mr. Nixon: Mr. Speaker, I have for tabling the *Yukon Judicial Council Annual Report for 2012*.

Hon. Mr. Dixon: I have for tabling today the community-based fish and wildlife workplan for the Vuntut Gwitchin traditional territory for 2013-18, which was developed by the Fish and Wildlife branch of Environment Yukon, the Natural Resources department of Vuntut Gwitchin and the North Yukon Renewable Resources Council.

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

Are there any reports of committees?

REPORTS OF COMMITTEES

Mr. Hassard: I have for presentation the fifth report of the Standing Committee on Appointments to Major Government Boards and Committees.

Speaker: Are there any other committee reports for presentation?

Are there any petitions?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 54: Introduction and First Reading

Hon. Ms. Taylor: Mr. Speaker, I move that Bill No. 54, entitled *Act to Amend the Employment Standards Act*, be now introduced and read a first time.

Speaker: It has been moved by the Hon. Minister of Community Services that Bill No. 54, entitled *Act to Amend the Employment Standards Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 54 agreed to

Bill No. 57: Introduction and First Reading

Hon. Ms. Taylor: Mr. Speaker, I move that Bill No. 57, entitled *Oil-Fired Appliance Safety Statutory Amendment Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 57, entitled *Oil-Fired Appliance Safety Statutory Amendment Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 57 agreed to

Speaker: Are there any further bills to be introduced?
Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Government of Yukon to recognize the important role that arts and culture play in contributing to the social and economic life of Yukon by providing assistance to the arts and cultural organizations and Yukon artisans and by promoting exhibits, concerts, festivals and multi-cultural events and programs.

Ms. McLeod: I give notice of the following motion:
THAT this House urges the Government of Yukon to use the 2013-14 budget to invest \$100,000 through the youth investment fund in community-driven youth initiatives.

I give notice of the following motion:

THAT this House urges the departments of Highways and Public Works and Environment to form an interdepartmental working group to coordinate action to reduce wildlife-vehicle collisions on Yukon highways and to identify short-term and long-term goals for the 2013-14 fiscal year.

I give notice of the following motion:

THAT this House urges the Government of Yukon to use the 2013-14 budget to invest in developing a seniors housing complex in Mayo.

Mr. Hassard: I give notice of the following motion:
THAT this House urges the Government of Yukon to continue to enhance marketing of Yukon as a quality travel destination through research-based, market-driven campaigns, espe-

cially in relation to Yukon's primary markets of the United States, Canada and German-speaking Europe and secondary markets of Australia, the United Kingdom and Japan and our emerging markets of the Netherlands, South Korea and France.

I give notice of the following motion:

THAT this House urges the Government of Yukon to use the 2013-14 budget to enhance its ability to provide alcohol and drug services and programs by investing \$900,000 in planning for the replacement of the Sarah Steele Building.

I give notice of the following motion:

THAT it is the opinion of this House that the agreement between the Government of Yukon and the State of Alaska providing for reciprocal fishing licence fees is an example of the strong relationship between our two jurisdictions and provides benefits to both Yukoners and Alaskans alike.

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

THAT this House urges the Minister of Energy, Mines and Resources to approve the West Dawson and Sunnysdale local area plan without further delay.

Speaker: Are there no other notices of motion?

INTRODUCTION OF VISITORS

Speaker: I'd like to take this opportunity to introduce Krysta Meekins, who is also joining us here. I have seen her here a few times and I'm glad to see she's making a continued effort to come and join us. I think she might be after one of your seats, as well.

Applause

Speaker: Is there a statement by a minister?

Speaker's statement

Speaker: Before going to Question Period, the Chair would like to make a statement on something that occurred during yesterday's Question Period.

During Question Period yesterday, during her first main question, the Leader of the Official Opposition used the term "shell game" in the context of a question regarding government capital project expenditures.

Though no point of order was raised, the Chair will inform the House that the term "shell game" has been ruled out of order in this House in the past.

The term, in the context in which it was used yesterday, suggests a deliberate attempt to deceive. This constitutes a violation of Standing Order 19(h).

We will proceed with Question Period at this time.

QUESTION PERIOD

Question re: Capital project expenditures

Ms. Hanson: The Premier is understandably reluctant to admit the failures of Yukon Party governments in spending taxpayers' dollars on major capital projects. I don't blame him. It must be difficult for ministers who think of themselves as competent managers of the public purse to accept the reality

that they are not. Planning without demonstrating need or preparing to manage risk, projects behind schedule and over-budget, pre-election photo ops staged, promises made and promises broken. Again, this must be difficult for the Premier. No one likes to make mistakes. However, the members of this House and the Yukon people know the truth. This government has a poor track record on capital projects and Yukoners deserve better.

Will the Premier support increased legislative oversight for capital project spending?

Hon. Mr. Istchenko: The Government of Yukon is modernizing how we procure goods and services to make the government contract regulations, policies and procedures fair, consistent and accessible for business. With respect to the question asked across the floor, what the government is doing plays into the question and the motion we will be debating today. So this government is committed to a fair, responsive use of taxpayers' dollars and bringing projects up front, on time and on budget.

Ms. Hanson: I am almost encouraged by the minister's response. The NDP believes increased legislative oversight of capital projects could help ensure that projects are undertaken only when there is evidence that they serve demonstrated needs in the most appropriate and cost-effective way, are planned to anticipate and manage risks, are delivered on time and on budget, are developed with greater public transparency and accountability and managed in ways that reflect the best practices outlined in numerous reports prepared for the Government of Yukon by its internal auditor and by the Office of the Auditor General of Canada.

My question: Does this government support these goals?

Hon. Mr. Istchenko: Yes, we also, as government, reviewed the Auditor General's report and some of the things that came out of the Auditor General's report we're doing.

We are providing more training to our government employees to increase expertise and consistency. That is already done. We increased centralized support for procurement. That's done. We have introduced more electronic tools without negatively affecting smaller businesses. That is done.

This government is committed and is continuing to work with local business. We recognize the contributions of local business, and we believe that the Yukon's economy is very positive right now because of the great fiscal responsibility we have created.

In summary, we are building on the foundations of strong government procurement by focusing our efforts on improving internal processes, especially those that have created challenges for our suppliers.

Ms. Hanson: Mr. Speaker, the minister is actually missing the point. I guess it re-informs us that this Yukon Party tends to make their decisions based on political concerns instead of due process or evidence. This approach, as we know and as he has confirmed, is delivering poor results, and something has to change.

The NDP will continue to press for full legislative oversight of government spending, not internal processes. In our

parliamentary system, this is a fundamental role for all MLAs, not just those in Cabinet.

Mr. Speaker, I understand why the government might not like this. It's contrary to the Yukon Party's failed approach of operating behind closed doors and keeping the public in the dark. Our primary interest is to deliver better results for Yukon people and their tax dollars. Surely that's an idea that this government supports.

Will the government put the interest of taxpayers first and agree with increased legislative oversight of capital projects as necessary?

Speaker: Order please. The time has elapsed.

Hon. Mr. Istchenko: We have a fiscal responsibility to ensure we are getting better value for money, and at the same time we want to reduce the costs of doing business with us and in general provide a better procurement service.

We have been managing Shakwak funds for many years. Canada has used us to procure the Customs buildings in Beaver Creek and down at Pleasant Camp.

There are a lot of projects out there. We just have to look at the two beautiful cultural centres: one we have in Kluane and one we have here. These are projects that we managed on time and on budget, and we also worked with First Nations, Yukon government and the Government of Canada.

Question re: Yukon Medical Council resignations

Ms. Stick: Less than a week ago, the members of the Yukon Medical Council resigned en masse. This is the governing body that regulates the practise of medicine and medical care in the Yukon. Doctors are reporting the same old "my way or the highway" approach from this Yukon government. This approach seems to be failing with the negotiations of revenue-sharing agreements with First Nations, and clearly it's not working with doctors either.

Mr. Speaker, will the government recognize that its brinkmanship with the Yukon Medical Council has failed and explain to Yukoners how they lost control of this situation to the point where the entire council unanimously resigned?

Hon. Ms. Taylor: Mr. Speaker, let me be very clear. The decision of the Medical Council is a decision that is regrettable, and it's one that the Yukon government takes very seriously. For the past year, the Government of Yukon has in fact been working with council members on a number of issues of importance to both respective parties. We've been working toward a memorandum of understanding to clearly delineate those roles and responsibilities between the medical council and the registrar, which happens to be housed within the Department of Community Services.

We have been working to enhance the level of resources available to the council and the council's very important work, in terms of making added remuneration, travel assistance, as well as access to legal counsel for investigations. We recognize the importance of having a fully functioning council. We recognize that there is more work to be done in terms of advancing the work of the council. We have in fact arranged a meeting with the Yukon Medical Association for tomorrow, and we look forward to that dialogue and certainly getting the council up and running again.

Ms. Stick: I'm glad to hear the minister will be meeting with the members. I wasn't clear whether it was the medical council or the medical association she's meeting with tomorrow. It's the least one would expect after such a mass resignation of the entire council. I think the question here will be: How did we even get here? How did this entire council disappear and resign before having this crisis meeting that's tomorrow? The government must have seen this coming. Can the minister tell us what she will do to ensure that we don't face such a crisis situation again before action is taken?

Hon. Ms. Taylor: I would like to recognize the very important role of the medical council in providing that oversight in terms of licensing and regulatory authority when it comes to licensing of physicians in the territory. The medical council has worked very well for the past 34 years. It is the model that has been adopted in Northwest Territories and Nunavut, and it is something that we continue to work to enhance, with the added requirements in terms of the council's work.

Over the years, any issues that have arisen have been resolved, I'm pleased to say, with dialogue and discussion, and that is something that we remain committed to doing and working alongside the medical professionals in the community itself. It's something that, with this history in mind, we hope to be able to proceed with on an ongoing basis.

As I mentioned, we have been working with the council members over the past year on many issues of importance, and it is very clear that there is more work to be done, and we are very committed to having that dialogue and certainly that will be taking place tomorrow with the Yukon Medical Association.

Question re: Oil and gas development in Kaska traditional territory

Mr. Silver: Last fall, the Government of Yukon passed legislation to try to strip the Kaska of its veto over oil and gas development in its traditional territory. The Government of Yukon also signed an MOU with the Kaska in 1997 that spoke to the issue of consent and vetoes. The minister has thus far been completely silent on the ongoing enforceability of section 5.1 of the MOA, even with section 13 of the *Oil and Gas Act* having been repealed. I'm looking for a clear answer as to the government's position at this point.

Will the minister confirm that the consent requirement for the issuance of new oil and gas dispositions in Kaska traditional territory, which the parties agreed to in good faith and confirmed in paragraph 5.1 of the January 1997 MOA, will continue to be honoured by the Government of Yukon? It's a simple yes-or-no question.

Hon. Mr. Cathers: Mr. Speaker, if the Member for Klondike was here and listening last fall — I know he was here and I hope he was listening — he would recall that we had extensive debate on this during the amendments to the *Oil and Gas Act*. We then identified that the preceding condition in the 1997 MOA identified that all parties were agreed that the highest priority was placed upon the conclusion of land claims at the earliest date. We have indicated, in tabling the amendment to the act and passing it through this House, that the requirement for the Kaska will be the same as for all the 11 First Nations that have concluded land claims, that being the govern-

ment will have a common-law obligation to consult with them and to consider their opinion on certain matters relating to oil and gas dispositions and rights.

Mr. Silver: Mr. Speaker, I appreciate the answer from the minister, but I have a specific question today, and I know he is listening to it. I want a yes or no on 5.1. It's disappointing that the minister won't answer a simple yes-or-no question. There is an MOU in place that says that Kaska consent is required before oil and gas rights are issued in southeast Yukon. Will the government honour this commitment? Yes or no?

The Kaska are certain of the view that, even with the repeal of section 13 of the *Oil and Gas Act* — which was done last fall — the government still has a legally enforceable obligation under section 5.1 of the 1997 MOA to obtain consent before issuing new oil and gas dispositions in the Kaska traditional territory.

What is the government's position? Does the minister believe that the Government of Yukon, having amended the *Oil and Gas Act*, can now issue oil and gas dispositions in Kaska traditional territory without Kaska consent? Yes or no?

Hon. Mr. Cathers: I believe I actually answered that question for the member. I didn't think I needed to state it in the very simplest possible terms for him to understand, but the simple answer to that is, as I indicated in my previous response and as we indicated last fall, the advice that we have received from Land Claims and Implementation Secretariat staff and from our Justice legal counsel is that the Yukon government's obligations, now that the *Oil and Gas Act* has been amended, for the Kaska are the same as for all 11 First Nations that have concluded final agreements. That is, when we are dealing with oil and gas dispositions in their territory, we have an obligation to consult with them and to consider their opinion, particularly with regard to any potential impacts on treaty rights or asserted aboriginal rights. What we have done is create a level playing field for all 14 First Nations.

Mr. Silver: I don't know, Mr. Speaker, if you can help me with this — if that was a yes or if that was a no — because I am still unclear.

Last fall, the Government of Yukon amended the *Oil and Gas Act* to try to take away the Kaska's veto. There is potentially a major problem with the minister's plan. Changing the legislation does not do away with the government's commitment under section 5 of the MOU. Maybe the government doesn't think that it's bound by this MOU. It's impossible to know because the minister has repeatedly refused to answer that question last fall and he again refuses to answer that question today.

Is it the government's position after the repeal of section 13 of the *Oil and Gas Act* that it is not bound by section 5.1 of the 1997 MOA?

Hon. Mr. Pasloski: I rise today to again state that this government believes that Yukon resources belong to all Yukon people and it is important that we do in fact treat all First Nations equally and that we will continue to meet and exceed our obligations to consult with First Nations, not only under the *Umbrella Final Agreement*, but all other agreements that we

have, and for many other reasons that we continue to consult with First Nations.

In the last 10 years, this government invested millions of dollars trying to reach a consensus agreement with Liard First Nation and the Kaska, and we will continue to work toward reaching an economic agreement with them, because this is really about the people who live in southeast Yukon. It's an opportunity for the people who live there to have a future, so kids coming out of school know that there will be opportunities for good jobs so they can stay in their community. This government is committed and focused to look after the people who live in that area so they have a bright future.

Question re: Off-road vehicle use, select committee recommendations

Ms. White: In 2009, after an accident that caused injury in Dawson City, the Legislature established a select committee to make recommendations on the safe use and operation of off-road vehicles. With a suggestion of the NDP and the public, the mandate of the select committee eventually included concerns about the impact of off-road vehicles on Yukon's wilderness.

Mr. Speaker, the select committee made 14 recommendations, including amending the *Motor Vehicles Act* to cover the safe operation of ORVs, helmet use on roads and highways, and vehicle and driver registration. The select committee tabled its report in the spring of 2011 — and that was two years ago.

Will the Minister of Highways and Public Works tell this House when he will be fully implementing the safety and operations recommendations of the select committee?

Hon. Mr. Cathers: First of all, I need to correct the Member for Takhini-Kopper King. In fact, the mandate of the committee was never actually amended, as the member stated. That was a misstatement on the member's part.

Having been a member of that committee, I appreciate the work that was done and the many Yukoners who expressed their viewpoints. This government remains committed to implementing the recommendations of the committee, which were unanimously agreed to by all parties in this Assembly.

I would note that, in fact, as we've indicated and communicated to groups that have been asking about the status of this information, we are dealing with implementing the recommendations through two processes. The Minister of Highways and Public Works is responsible for implementing the provisions related to the *Motor Vehicles Act* and the environmental considerations are being dealt with jointly by the Department of Environment and the Department of Energy, Mines and Resources.

Ms. White: The select committee also recommended the protection of sensitive habitat in alpine areas, restriction of new trail construction and that there are procedures for reclamation. During the election, all the parties represented in this House committed to bringing forward legislative environmental protections in response to a questionnaire put forward by Trails Only Yukon Association, also known as TOYA.

We are aware of the minister's recent letter to TOYA, but there are no timelines and thus no guarantees of action. The

select committee made its recommendations in March 2011. The election was in October 2011. It is now March 2013.

Will the Minister of Environment honour his party's commitment and tell this House that he will immediately protect Yukon's environmentally sensitive habitat in alpine areas and implement the environmental recommendations of the select committee?

Hon. Mr. Dixon: We are always trying to take action to protect the sensitive areas in this territory through a number of ways, but with regard to ATV use and the recommendations of the select committee of the previous Legislature, we've consistently responded positively to those recommendations and committed to acting on them.

With regard to the creation of a new system of protecting key areas in the territory from damage from ATV use, we've of course committed that our intended outcome is to ensure the government has the adequate tools to target specific areas like key wildlife habitat or particularly sensitive areas where it is determined that problems resulting from off-road vehicles are occurring or are likely to occur. That's exactly what we're going to do. That's what we've committed to in the election and consistently since then. We will be moving forward expeditiously on this matter.

Ms. White: Thank you, Mr. Speaker, a new question.

Question re: Affordable housing

Ms. White: Yesterday the minister responsible for the Yukon Housing Corporation announced that the Yukon government doesn't have a housing plan and would now start to develop one. The fact that the Yukon government lacks a housing plan is not news. For many, many months we've called for such an action plan and we're pleased to see that the Yukon Party has finally seen the error of its ways.

Participants in the Northern Housing Conference, where the minister's announcement was made, also heard from Wally Czech, the Housing First specialist for the City of Lethbridge in Alberta. Mr. Czech said, and I quote: "It is a basic human right to have a roof over your head ... so Housing First says we need to get them into housing and then we provide those supports."

Mr. Speaker, now that the minister has finally admitted his government's failure on the housing file, will he also stand and tell this House that he accepts housing as a human right and will work to implement a Housing First approach?

Hon. Mr. Kent: What I said on the floor of this House yesterday was that, during the 2011 election campaign, and in the lead-up to that campaign, there were a number of pressing needs identified for Yukoners when it came to housing — needs such as homes for seniors, homes for adults with FASD and homes for women who are fleeing abuse. Those are priorities we've been acting on for the last 18 months.

We've also made significant investments in land development. We've seen the average price for a detached home in Whitehorse come from about \$455,000 down to \$400,000. We've made significant inroads into solving those housing issues for Yukoners, and that's what we look forward to doing with the rollout and work that will be accomplished on the housing action plan.

Ms. White: I asked the minister if they believe that housing was a human right. Mr. Czech also said, and I quote: “Homeless people are human beings ... people who are homeless are not social inadequates. They are just people without homes.”

To paraphrase, he went on to say that once the idea of Housing First is embraced and applied, progress can be made to treat addictions where that’s an issue; it can improve health, and it builds toward further education and employment.

Will this minister accept that Housing First is something that should be done and that homeless people also need help?

Hon. Mr. Kent: Unlike the NDP, I’m not going to predetermine what the housing action plan comes up with as far as recommendations. I want to make sure that those recommendations are things that we can act upon in a fiscally responsible manner. Most individuals throughout the Yukon and throughout Canada recognize that government can’t be the only solution to the housing needs of Yukoners — that there are roles for First Nation governments, municipal governments, the private sector and NGOs. Those are individuals and organizations that we look to engage when we develop this housing action plan. So unlike the NDP, I won’t predetermine what the outcomes are — unfortunately, what the member is asking me to do on the floor of the House today.

Ms. White: I have one question for the minister responsible for the Yukon Housing Corporation: Does the minister believe that housing is a human right?

Hon. Mr. Kent: As I said, we are working on a housing action plan for Yukoners. We look forward to working on that over the next year and a half.

When we were elected, we were elected to deal with a number of pressing needs when it comes to housing. Now, only 18, short months later we have lots available for sale over the counter here in Whitehorse. We have Options for Independence; we have Betty’s Haven; we have a youth shelter; we have a couple of seniors housing projects underway and there are a number of other initiatives that the Minister of Health and Social Services is undertaking with respect to emergency shelters. As well, there is work being done currently by the Royal Canadian Legion when it comes to seniors assisted living. We are looking at identifying projects and programs across the housing spectrum when it comes to addressing the needs that Yukoners identified for us in 2011.

Question re: First Nations/government relations

Mr. Silver: Last fall the Premier cancelled a scheduled meeting of the Yukon Forum on very short notice. Chiefs from around the territory had already travelled to Whitehorse for a meeting, only to be informed that the Premier would not be able to meet with them. It is an example of this government’s frayed relationships with Yukon First Nation governments.

One of the items on the agenda was a new resource royalty agreement. On October 29, 2012, the Premier announced that a new deal with the Yukon First Nations was in place, but he said he wouldn’t be making it public until it was signed at the Yukon Forum. It turns out that announcement was premature as the deal isn’t done after all.

The forum has now been postponed indefinitely. It has been almost five months since the proposed deal was announced, but it remains under wraps. As of this week, it sounds like it might not get signed at all.

Will the Premier release the terms of the new resource royalty agreement that was referred to in the October 29 news release?

Hon. Mr. Pasloski: As the member opposite stated, there was an agreement reached for royalty sharing back in October. That was really based upon an MOU that was signed between the self-governing First Nations and the Yukon in May of 2012.

As we have also stated, this agreement is over and above any responsibility that this government has, because we continue to have an obligation and an agreement signed in chapter 23 of the *Umbrella Final Agreement* that clearly states out what the formula is to share resource royalties in the Yukon. With the agreement to expand the royalties that Yukon will be able to keep in Yukon — with the agreement with the Government of Canada and the Prime Minister in August of 2011 — that agreement and that whole process was done in conjunction and consultation with Yukon First Nations. This government said we wanted to move ahead as partners and to ensure that self-governing First Nations do share in the increased royalties that Yukon will be able to reap on a going-forward basis.

Mr. Silver: I must note, too, that a lot has happened in the north since ink hit the paper in the original *Umbrella Final Agreement*. As recently as August of last year, the government said it wasn’t interested in giving the First Nations a better deal after all. I’m happy that the Government of Yukon is going ahead with improvements to the resource royalty sharing agreement with the First Nations. After initially refusing to give Yukon First Nations a bigger share, the government has changed its mind and has decided to negotiate. Given this government’s rocky relationship with First Nation governments, this could be a good news story, and I am glad that the government is still working on this issue.

News this week that the government has made a take-it-or-leave-it announcement with the First Nations is obviously a setback. The Yukon Forum would be an ideal place to discuss these differences. When will the next Yukon Forum be held?

Hon. Mr. Pasloski: Mr. Speaker, unfortunately the Member for Klondike is again not speaking factually. Ever since there was a unified commitment to go forward to discuss and increase the royalty sharing for Yukon back in 2010, Yukon First Nations and the Government of Yukon have worked together on coming forward with an agreement that was reached between Yukon and Canada in August 2011.

Since that time there has always been a negotiation on this government’s part to recognize and share some of those additional royalties with First Nations. Eight of 11 of the self-governing First Nations have in fact signed that agreement, and in the last day I have in fact spoken or met with the three chiefs of those First Nations that have not yet signed that agreement. It was an opportunity to be able to have a good face-to-face communication and to deal with any concerns or questions that they may have. I am quite optimistic that, going forward, we

will be able to announce the complete agreement of all the First Nations and move forward at that time.

Mr. Silver: I am pleased to hear that, based upon the Premier's supplementary that the negotiations are going well and we should be seeing an agreement very soon. Mr. Speaker, the Yukon Forum would be a perfect place to hammer out an agreement like this; however, this government doesn't seem to have much interest in this forum. Last month the forum was cancelled. Since the Premier was elected, I believe there has only been one meeting of the Yukon Forum. It is supposed to meet four times a year. That never happened under the previous Yukon Party government, and nothing has changed since that last election.

It is probably the most important relationship that government has with First Nations, and it's being badly neglected. The forum could be a valuable tool to discuss common interests, agree on priorities and to resolve these disputes. Instead, the government usually just meets the First Nations in court or in front of a judge.

Why is the government so uninterested in using the Yukon Forum as a mechanism for getting along with First Nation governments?

Hon. Mr. Pasloski: Of course, as this territory and this government sees increased revenues from this new royalty sharing agreement that was signed with Canada, all Yukoners will benefit from those royalties because, when the government uses that money to help to build schools, to help fund doctors and to build hospitals, to build roads and bridges, all Yukoners will benefit from that return to Yukon of enhanced royalties.

I think it's a good thing that we have the opportunity to talk about this and to talk about the position that this government is in as a result of devolution and land claims and strong Yukon Party policies that have been in place for the past decade where we, in fact, have been leading the nation in a growing economy because this is not a discussion that we would be having 10 years ago after the successive Liberal and NDP governments, where thousands of people moved away and there were no jobs.

Mr. Speaker, as we speak now, officials are working on finalizing a date for the next Yukon Forum, putting together the information that needs to be done so that it can be presented to the leadership so that we can have good, frank discussion and move forward on topics of mutual interest and benefit for all Yukoners.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 368

Clerk: Motion No. 368, standing in the name of Ms. Hanson.

Speaker: It is moved by the Leader of the Official Opposition

THAT this House urges the Government of Yukon to increase legislative oversight of capital project spending with the goal of ensuring such projects are:

(1) undertaken only when there is evidence they will serve demonstrated needs in the most appropriate and cost-effective way;

(2) planned to anticipate and manage risks;

(3) delivered on-time and on-budget;

(4) developed with greater public transparency and accountability; and

(5) managed in ways that reflect the best practices outlined in numerous reports prepared for the Government of Yukon by its internal auditor and by the Office of the Auditor General of Canada.

Ms. Hanson: It gives me great pleasure to rise to speak to this motion. It is my sincere hope that this motion receives the unanimous support of this House. I hope the government takes this motion in the positive and constructive vein with which it has been put forward. I do have my doubts however, as at times they seem more interested in dredging up long-forgotten memories of 15 or 20 years ago than addressing the serious matters that have happened on their watch.

The amount of money spent on capital infrastructure is not peanuts. These are significant public expenditures. Monies spent irresponsibly or without due diligence ultimately impacts the services available for Yukon people. Recent Government of Yukon capital budgets are evidence of the significant amount of money that Yukon taxpayers trust this Legislative Assembly and its members to steward — 2011-12, \$202 million; 2012-13, \$244 million; 2013-14, \$253 million. That's 21 percent of our total budget and capital spending continues to grow into the future projected.

Today's debate is about improving fiscal responsibilities with these capital budgets. It is through capital spending that we build major projects that we all need so that society can function, thrive, grow, take care of itself, deal with emergencies and care for the sick. Capital spending builds the infrastructure that powers our economy, and this, in turn, affects our work, our communications, as well as our recreation.

Whether for energy, schools, health care, highways, telecommunications or community infrastructure, like new subdivisions and rec centres, major capital projects should reflect public needs and wishes, be based on evidence of appropriate and effective ways to meet Yukoners' needs, be properly built with sound planning principles that identify and manage risks, include fair rules for contractors with a focus on utilizing local labour and expertise to maximize economic benefits, and adhere to clear timelines and budgets. They should also include regular reporting to all Yukoners to avoid inefficient and negative surprises.

What the public does not want to see are major capital projects seemingly decided for short-term political gain. The public also does not want to see questionable decisions in the awarding of contracts. I am referring to perceptions of nepo-

tism or evidence of sole-sourcing, or, in the case of the Dawson sewage project, paying more for new technology that is not proven to work effectively in this latitude. In short, the public does not want to see any more boondoggles. Overbudget projects, delays, confusion, white elephants — so much wasted money and so little to show for it.

This fall the Yukon public will have been subjected to 11 years of Yukon Party rule, and over this time the Yukon public has witnessed a great many problems when it comes to planning, building and managing complex capital projects. These projects over the last 11 years of Yukon Party government include the Tantalus School in Carmacks, which also included the Yukon College Carmacks campus; the P3 bridge proposal at Dawson; the athletes village as part of the Canada Winter Games; the Alaska-Yukon railway study; the F.H. Collins replacement project; the Dawson sewage treatment facility; the Dawson and Watson Lake hospitals; the Crocus Ridge residence; Whitehorse Correctional Centre; expansion of the Whitehorse International Airport; Hamilton Boulevard expansion.

All these projects have raised serious concerns, not just in the minds of legislators in this Assembly, but in the public, with contractors and with citizens. All governments, past and present, have encountered problems around major projects, and I am reminded of this many times by the Premier — that the NDP government may have made some mistakes. Although I have to point out one that strikes me because every time I hear him go on about the Taga Ku, it reminds me that in fact, there was a political decision made by a newly elected Yukon Party government to basically rescind a commitment made by government with respect to a project from Champagne and Aishihik First Nations to build a convention centre and hotel and office spaces down on the waterfront. There was a lot of controversy about that and a lot of pressures from the inside back rooms of the Yukon Party, and ultimately the Yukon Party government cancelled that project. But you know what the government doesn't ever tell you? That in fact the Champagne and Aishihik First Nations were vindicated. The Supreme Court of Yukon vindicated the Champagne and Aishihik over the Yukon Party in that dispute and they paid up a settlement — \$8 million. So there are political decisions and there are outcomes.

The Premier tends to trot these examples out when we raise issues about the here and now as if this were a valid answer to the projects that are spiralling out of control under his watch, and that he actually has some control over.

Pointing fingers is not the answer, and it's not leadership. The Liberal government may have made some mistakes, and the Premier's predecessor never missed a moment, when the heat was on him for his decisions, to go on at length about the Mayo-Dawson transmission line.

The point is that all governments of all parties, past and present, could benefit from greater oversight, as we spend the public's money.

The motivation for this motion has come from events that have transpired here in the territory and also on the national

scene. We are not immune, Mr. Speaker, but we can learn from other examples from elsewhere as well.

I will try to focus my comments this afternoon on three key examples that demonstrate how we as elected officials need to do a better job of managing capital projects. One is the government's decision of a "do-over", I guess we could call it, of the F.H. Collins school replacement project. After spending millions on design work, after tendering two major aspects of the project, after many building advisory committee meetings, there is a quick turnaround and they announced a campus-style facility.

I'll look also at some of the outcome with respect to the Auditor General's report on major health capital projects that looked at the decisions made by the Department of Health and Social Services and the Yukon Hospital Corporation with respect to building expensive hospitals to deliver short-term care without a proper needs assessment or rigorous planning.

I raise this as another example of where, if we don't do the due diligence, the whole issue of value for money becomes very important. On a national scene we've seen this around the debate for the procurement of new jets for the Canadian Forces. Both the Parliamentary Budget Officer and the Auditor General roundly criticized the way this process was managed and found the decision to purchase did not represent value for money. We have an obligation as legislators to ensure that all of our decisions, at minimum, achieve value for money.

In response to these challenges that legislators, parliamentarians, provincial legislators and territorial ones have encountered in effectively managing the public purse, recommendations have come from many sources.

One of the recommendations with respect to the national defence at a national level was to increase the oversight of the Department of National Defence equipment spending by establishing a parliamentary subcommittee responsible for major Crown projects. That was suggested because the lack of transparency in democratic mechanisms affecting the current military procurement regime needs to be addressed through greater parliamentary oversight. There are parallels here. Contracts that must go through a parliamentary committee or subcommittee before receiving approval are significantly more likely to guarantee job offsets, include specific costs and generally involve a greater degree of open competition for the public dollars involved. So this goes some way to explain why we have brought this motion forward.

So I'd like to spend a little time reflecting on what this motion would do. The motion, in essence, would increase oversight by Members of the Legislative Assembly for major capital spending.

Greater oversight and transparency in our democracy is critical to ensure the public is getting value for money, that government is accountable for spending, and that capital projects reflect public priorities. The motion proposes that such oversight is based on principles that are very sound and reasonable and should help us to avoid the worst case scenarios of boondoggles, rumours of graft or corruption, nepotism, favouritism, projects that are hugely overbudget or way behind schedule. This is a reasonable proposition: greater oversight,

greater adherence to planning, expert advice and controls informing the decisions to spend millions of finite financial resources. All of these lead to better outcomes for both our infrastructure and the public, and eliminate — or, at least, lessen — bad, politically motivated decisions or plans.

One item that I think really needs special emphasis is the need for greater meaningful public involvement. What we are witnessing with this Yukon Party government is that they know they have to involve the public, but they have not listened to Yukoners. I emphasize the word “meaningful” when it comes to public involvement.

Actually listening to Yukoners is the behaviour that will accomplish a key criteria in our proposal for oversight on capital projects, public transparency and accountability. You know, the Yukon as a whole does not benefit when the government disregards the experience and expertise of our own citizens. We cannot afford not to listen.

This motion proposes oversight of capital projects. It clarifies criteria, according to which capital dollars should be managed, and the first step is that there is evidence that there is, at minimum, a study — expert advice — that the project will serve demonstrated needs in the most appropriate and cost-effective way. This is more than public buy-in — financial resources are finite. We are talking about our responsibility as managers of the public purse. This requires of government and all elected members of this Legislative Assembly to engage in a process of consultation and prioritization of the needs with the public. Sometimes this will mean saying no, that the solution to an identified need or problem is not in a shiny, new building, but in a new way of working and here we think of the shiny, new hospitals providing short-term care, possibly at the expense of community-based collaborative care.

Once there is evidence of need, we come to the next item requiring oversight: assurances that proper planning is followed, risks assessed and managed. In 2013, the Auditor General’s report on the Yukon Hospital Corporation’s capital projects said, and I quote, “Before beginning future capital projects, the Corporation should carry out a needs assessment, a risk assessment, and an options analysis (including how the projects will be funded); collaborate with the Department of Health and Social Services to ensure that it is aware of any potential impacts on the Yukon health care system ...”

The first two points in our motion would go a long way to fulfilling the third item for oversight, which is ensuring that the project is on-track, that it’s on-time and on-budget, and that contingencies are dealt with. Mr. Speaker, I want to be clear about this. We are not proposing that we have the solution in terms of prescribing what this greater legislative oversight would look like. What we are identifying is that this government has a real problem in the way it has managed and planned capital projects. We believe that allowing greater oversight and scrutiny by the public’s representative — all of us here elected — that will help to ensure that there are fewer horror shows when it comes to capital project management.

Some will argue that the Public Accounts Committee already provides an important function, but that is after the money is spent, or after the Auditor General has provided an

audit and commented. Perhaps the mandate of the Public Accounts Committee could be expanded to play more of a watchdog role over capital projects and their progress.

As I said, my intent of bringing this motion forward is not to prescribe how, but to engage in discussion with the members of this Legislative Assembly in an open manner so that we can find ways to achieve the objectives set out in the motion. This motion could also be achieved in the form of a new standing committee that exists in some manner in other Westminster-style parliaments. To move forward toward this model could hopefully eliminate or minimize major mistakes. It would make things more open and transparent and less likely for capital projects or infrastructure projects to be abused for short-term political gain.

I thought it would be useful to go into some detail about a number of the projects and what has transpired, and maybe think about and show where greater oversight might have or could have prevented serious problems.

The Official Opposition raises this because Yukon people care about this. As elected officials, we need to learn from how we — and I use “we”, because we are all accountable as Members of this Legislative Assembly — have managed contracts, because again, we have finite financial resources. When we waste taxpayers’ monies, we are robbing from other important projects or services.

So we’ve heard a lot over the last number of months and certainly over the last month about the F.H. Collins replacement project. It highlights that when something goes wrong, it can go really wrong. A year ago — 364 days ago — on March 26, the Premier said this: “As I have stated, we are committed to F.H. Collins. Like all projects now, we want to ensure that the diligence is done. We make sure that when we make an investment, when we are using taxpayers’ dollars, we ensure that this is done wisely and that our diligence is done to ensure the investments meet scrutiny and we meet expectations of taxpayers and that we’re spending their money wisely.”

However, this government’s management of the F.H. Collins replacement doesn’t look or sound like fiscal responsibility, nor does it look like due diligence has been followed. This project has been an ongoing saga of broken promises, delays, flip-flops, confusion and decisions that have left students, parents and taxpayers scratching their collective heads. If you think back — it goes back a long way — the Liberal government of 2000-2002 first announced that a replacement for the aging F.H. Collins would be built. Estimates at the time put a price tag at \$25 million. The Yukon Party came into power and it wasn’t so much a priority for this government to build or rebuild the F.H. Collins Secondary School. Then in 2009 the then Yukon Party Education minister announced the new school would be rebuilt over the next three to four years. In 2009, \$400,000 was set aside for hiring an architect to draft the plans. At that time the minister announced that he expected it to be very close to breaking ground in about 12 months. Then the minister said that he expected the cost to exceed \$25 million.

It might be reasonable, given that it is nine years after the Liberal government — instead, it was going to cost \$25 million. At that time there were other estimates that would put the

cost of replacing the school at nearly double that — \$48 million.

So we fast-forward a couple of years — nothing has really happened. 2011, pre-election time — no one is going to soon forget that, on the eve of the election, the Premier posted photos, with shovels in hand, and announced the project would soon be open for business — open in August of this year.

Mr. Speaker, when I was thinking about this, I was realizing that this was not the first time that the Yukon Party has used an election to make commitments to new schools. I recall being a member of the Hillcrest Community Association and being at an all-candidates forum. The then Yukon Party candidate announced, to the surprise of everybody, including the then Minister of Education for the Yukon Party, that she had the authorization of the Premier of the day to announce that a new school was being built in Copper Ridge. This somewhat annoyed the existing Minister of Education, because he had been announcing that there would be a new school built in Burwash. Guess what, Mr. Speaker? Neither the school in Copper Ridge nor the school in Burwash Landing was built by the Yukon Party.

Political opportunism is another thing that can be avoided, and political shamefacedness could also be avoided if we have the kind of due diligence that legislative oversight provides.

Back to the story of F.H. Collins — we've got this announcement just before the election in 2011. The rush was on. There had been plans for geothermal as the heating source for this school. Suddenly they're off. They were scrapped. After the election, the minister was forced to announce that the project would be delayed for another year. This time to get it right — and geothermal was back in. New problems emerged. What would the students do when the gym was demolished? It is tricky building on a site that will continue to be used throughout the construction project, and the government had not planned for temporary facilities. Delaying of tendering brought further confusion, but despite all this, the minister assured everyone that the project was proceeding. Total cost now — almost \$56 million. After all, millions had already gone into the design work and discussions with the school community via the building advisory committee. There were bumps in the road, but a fine school to be proud of would be built.

Then the real surprise — after receiving three bids, the government says the bids are too high and announces it's going with a new campus-style design. It is throwing away somewhere between \$3 million and \$6 million in design and prep work.

The input of the building advisory committee is in the bin, and we're importing a design from Alberta. It's hard to see how this reflects due diligence. This is really unilateral action. After lengthy consultation with the school community and the public on the design, the public no longer buys the Yukon Party's approach on this file as being fiscally responsible. It has turned into ad hoc crisis management to suit short-term, political objectives, and we deserve more. Citizens of the Yukon deserve more.

Rather than performing sound project management and delivering the infrastructure that Yukoners need — that meets

their needs and that leverages millions of capital dollars for maximum effect — this government did not look at that leverage factor. It did not look at the implications for the local economy of a major change at this stage of the project.

How many Yukoners, who expected to be employed on the project in the skilled trades, will be looking for work elsewhere this year?

It is probably useful to reflect on what the Auditor General said when he reviewed the Department of Education in 2009, because it is material to the conversation we are having here, Mr. Speaker. He said, and I quote, "The Department has no long-term master plan to ensure that it is managing school facilities effectively and preparing for significant challenges, such as the number of schools that are aging and in need of repair. At the same, time, vacancy rates are high — in Whitehorse schools alone, student enrolment for 2007–08 was 3,879 and almost as many seats were vacant. Without a facilities management plan that considers the condition and capacity of each school, it is difficult for the Department to plan for maintenance, repairs, and improvements where they are most needed.

"The Department does not have a long-term strategic plan for managing challenges such as aging schools and declining enrolment. The lack of such a long-term plan with specific, measurable goals makes it difficult for the Department to track whether it is making optimal use of its resources and progressing toward its objectives. Nor does it have a risk-management plan to formally identify each risk that could impede its achievement of objectives..."

The Auditor General also spoke about the overall management with respect to Highways and Public Works projects. In 2008, he said, and I quote: "Many of the transportation infrastructure and building projects we looked at (such as bridge rehabilitation, highway reconstruction, airport runway resurfacing, construction of airport terminal buildings and community centres, and school replacement and expansion) went over their original targets for total spending. Most of the projects were not completed on schedule. In some cases..." and this is reasonable, Mr. Speaker "...the problems were beyond the Department's control. However..." the Auditor General found, "...the Department did not adequately manage the risk of such occurrences. Nor did it conduct the required review of completed projects to evaluate whether it had followed appropriate procedures, observed economy and efficiency, and met the objectives for the project."

That leaves the public with a lot of questions that are constantly unanswered.

Has the government made up its mind before tendering the project to scrap it and start from scratch? This is with respect to F.H. Collins. Was it not possible to work with contractors to find some savings?

After all, the impact of an eleventh-hour cancellation of a project at the beginning of a building season — I think that it's really important to note that to put together a detailed bid costs a business thousands of dollars and hundreds of hours of time. So we're asking people to engage in this process, put together a substantial amount of their own private sector money with the

view that these projects are going to be creating work for local workers and building this local economy. Cancellation at the eleventh hour has a serious impact on the local economy in terms of lost jobs and lost tax revenue.

The question really is: How was it possible that so many things went so wrong? Greater oversight, such as we are proposing in the motion, could have helped to prevent this mess. We're not talking about a legislative oversight that's involved in the day-to-day management. It's about making sure that the basics, in terms of the decision, are understood before commitments are made. That's the job of those elected by the citizens of the Yukon.

The tale of the Yukon Party's two overbudget and behind-schedule hospitals is a story of many elements. It has the element of sole-source contracts, of the Yukon Party government ignoring their own promises, of not listening to Yukoners' input, of not valuing the experience and advice of Yukon's citizens and the medical professions across the continuum, of money wasted, and decisions that led to unexpectedly higher operating costs.

Although the government has waxed poetic about the need for health care funding sustainability and did indeed launch a lengthy review of health care that pre-dated the decisions with respect to the hospitals in Watson Lake and Dawson, what they sort of waxed poetic about is fundamentally at odds with the government's management practices on these major health-related projects.

If we look, for example, at Watson Lake and follow the convoluted path toward building a new hospital, we have to go back a long way — to a year or so after the Yukon Party came to power.

I started with the 2004 community consultation. The Options Consulting 2004 *Functional & Facilities Program* report said that a small residential care facility for seniors be built on the property of the existing old Watson Lake hospital. The existing hospital facility will not be replaced, though there would be some renovations toward addressing operational issues, including the renovation of the delivery and maternity room.

This report explains why the health facility construction in Watson Lake started as a multi-care facility, not as a hospital. A 2005, \$5.2-million budget was announced for the building of the Watson Lake multi-care facility. However, and unfortunately, the approach we've seen repeatedly by the Yukon Party was unfurled and began the approach around sole sourcing.

Footings were poured before the design was finalized. Once the design was decided, questions were raised about the viability of attaching the new construction to the pre-existing building. Questions were ignored and we paid — the public paid, the taxpayers paid.

By March 2007, with \$3 million already spent, it was clear the project was going overbudget. This was confirmed in December 2007, when the then Minister of Health and Social Services — the current Minister of Energy, Mines and Resources — admitted the cost had likely climbed over the last estimate of \$10 million — almost double the original estimate.

Other troubles were brewing — troubles that should have been settled at the design phase. By late 2008, the government

had indicated it was halting the project. These are public dollars. By 2009, the new construction, which had been improperly designed, sole sourced and not properly clad to the weather, was developing mould, and it was becoming a political liability rather than a building to help the seniors of Watson Lake.

If you drove through Watson Lake at that time you would know what a mess it was, seeing piles of building materials open to the weather. The government needed a solution quickly and the new Watson Lake hospital was conceived. It is not yet delivered.

This story explains why the Auditor General recently characterized the government's decision making with respect to these health care facilities as political, rather than evidence-based. It is clear that the government was not following the intentions of its own health care review, which it had launched in 2008. The central purpose of that review was to plan for the sustainability of Yukon's health care system. The review spelled out very clearly that health care services and facilities should be transferred from the Department of Health and Social Services to the Yukon Hospital Corporation only "if it can be demonstrated that the transfer would lead to both an improvement in the alignment in the delivery of health care services, and improved cost efficiency and effectiveness in the service delivery."

Contrary to this central recommendation from the *Yukon Health Care Review*, the transfer of responsibility for the Watson Lake hospital happened with no one else supporting the effectiveness of the hand-off. All signs suggest the capital project and fiscal mismanagement of rural hospitals has, in fact, worsened under the Hospital Corporation.

We need to step back a bit here and think that, at the core of this, we need a little reminder to ourselves and to the government about ministerial responsibility, because at times it appears that the minister would like to abdicate his responsibility for the Yukon Hospital Corporation management, but in fact the Minister of Health and Social Services oversees and is accountable to this Legislative Assembly for the implementation and administration of a number of Yukon acts including, most notably, both the *Health Act* and the *Hospital Act*.

So before I go further in talking about the building of the new Watson Lake hospital, I really would like to once again acknowledge the contribution of Watson Lake residents and health professionals. I know for a fact that excellent team and community-based care has been successfully delivered by dynamic and skilled health professionals in Watson Lake. It is my understanding that in 2008 they prepared an analysis of their practice with statistics on facility use and results, accompanied by their vision of excellence. They developed and they circulated — they shared with the government. It saddens me to think that the Yukon Party government has at times ignored the expertise and constructive advice of its own citizens.

So back to the birth of the new Watson Lake hospital. The Yukon Hospital Corporation appeared committed to replicating the Yukon Party approach to poor planning. In the rush to proceed with the big capital project, the actual purpose — delivering care — was neglected. This is evident in the 2009 func-

tional plan for the Watson Lake hospital, where the authors note that staffing and occupancy estimates were not available. And I quote: “It is strongly recommended that ... these numbers be estimated prior to final detail design to ensure adequacy of the program...” and for “...estimating maximum occupancy load conditions for fire exiting requirements.” The Auditor General’s findings in his recent report were no surprise either, Mr. Speaker.

It’s a real and profound shame that so many precious health care dollars have been spent following a trail of mistakes as opposed to following a design for the kind of care that would be appropriate to the needs of the people.

Mr. Speaker, in the last few days we’ve seen further evidence that Yukon’s health care is in a state of crisis, as I speak to this motion.

The hospitals are overbudget and behind schedule. Millions have been spent on physician recruitment, yet Yukoners are still facing a doctor shortage. Just this week, as we heard, the entire Yukon Medical Council resigned en masse. So, what we are doing is we are proposing oversight — oversight by the elected Members of the Legislative Assembly to avoid exactly the scenario both the government and citizens are now facing. The Watson Lake hospital would have benefited from the motion we proposed today — a proper needs assessment, risk management, proper planning to ensure clear budgets and timelines. We are not talking about Members of the Legislative Assembly doing planning; it’s having responsibility to ensure that proper needs assessments, risk assessments and proper planning has been done, because clearly this Legislative Assembly and this government have failed in this regard.

Public transparency and accountability from the Yukon Party are still wanting. On the opening day of this sitting of the Legislature, the Minister of Health and Social Services refused to be accountable for the decisions of his Yukon Party government by saying, “... the Government of Yukon was not responsible for building those two hospitals.”

Just yesterday, the minister abdicated his responsibility when he acknowledged he doesn’t know what happened with the \$12.7 million directed for physician recruitment. Clearly, Yukon needs more oversight, transparency and accountability.

I thought I would touch just a little bit on the story of the Dawson City hospital. I expect that others will speak to this as well. It is similar to the Watson Lake hospital story, but it’s different too. As in Watson Lake, in 2004, Dawson residents and health providers participated in a 2004 Options Consulting *Functional & Facilities Program — Dawson City Health Centre*, which recommended — this is based on the input from the health care providers and the residents of Dawson — replacement and co-location of the Dawson City health centre — not a hospital — McDonald Lodge and the ambulance station. So in 2004, both communities prioritized new facilities for seniors, but instead, in 2013, they received overbudget and behind-schedule hospitals designed to provide short-term care at the greatest expense. These are sad stories to review, Mr. Speaker.

I will return to the Auditor General’s report, and I quote, “The Corporation did not conduct a full assessment of the communities’ health care needs in planning and designing the

hospitals. It also did not determine the incremental operating costs for the hospitals until construction was well under way. The Corporation cannot demonstrate that the hospitals, as designed, are the most cost-effective option for meeting the communities’ health care needs.”

It seems the people of Dawson have been almost systematically ignored. They are now facing the prospect of great insecurity with respect to health care services. For years, Dawsonites have requested mental health, addiction services, births and deaths in their home community, support for chronic disease management and respite care.

I urge the people of Dawson to remain hopeful. We are listening, even if the government is not. Your input is valued and valid. You may yet get the services your community needs in this fancy new building, which still has no opening date or model of care defined.

A lot of health care dollars have been sunk into major infrastructure with improper planning. Money has been wasted; residents have been ignored; operating costs will triple, and the risks associated with staffing and housing remain unsolved.

As Official Opposition, we consistently propose solutions. Today we propose legislative oversight to ensure that we don’t repeat these kinds of mistakes. Oversight was needed when the Yukon Party government transferred responsibility for the new Watson Lake and Dawson City facilities to the Yukon Hospital Corporation. Oversight and proper planning may have prevented the corporation from debt financing. With proper oversight these projects may have come forward as appropriations before the Legislative Assembly, rather than remaining off-book.

The Yukon Party government is not being fiscally responsible with our precious health care dollars. All this money has been spent with no way to show it is improving patient outcomes. More oversight would have helped. The Yukon Party government, though, has been clearly investing in a communications spin-doctoring approach — that’s one doctor they like. The \$27-million lump sum payment toward a portion of the hospital’s off-book debt is being spun as fiscal prudence.

The Premier’s speaking notes urge us to see it as like paying down a house debt. This is just plain insulting to Yukoners. Good money thrown after bad cannot be spun as fiscal prudence. Hospitals belong to the public. They are not supposed to be anyone’s home, and generally a health care system should aim to keep people out of the emergency ward, out of the hospital.

There is another area that I just wanted to touch on briefly. The areas I touch on are areas where I think that sometimes good things happen despite ourselves. One of the areas is the whole issue of the athletes village that was developed in conjunction with the Canada Winter Games. I believe that Yukoners take pride and should take pride in the wonderful Canada Winter Games we hosted and the legacy that flowed from it. As someone who had the privilege of being part of the management team for the Canada Winter Games, I know that every single Yukoner had some role to play in the success of those games. There’s a story there too with respect to poor management and lack of legislative oversight.

In February 2008, the Auditor General announced that the Yukon government spent \$43 million more on the games than it had planned. And the Auditor General recommended that the government improve its megaproject planning policies.

Mr. Speaker, as an aside on that, one of the aspects with respect to the athletes village — the original estimated cost of the athletes village was \$2.4 million, and it would end up costing \$31 million. During the course of the lead-up to those games — in my previous career, I was working as a senior official with the public service of the Government of Canada — a number of proposals were put forward, and one of them included the development of a prefabrication plant for the development of modular homes. The initial project was to be the building of facilities for housing athletes for the Canada Winter Games. A significant amount of money, time and energy — this is a repeat story, Mr. Speaker. We have heard it before; there's a theme here.

We ask the public, we ask First Nation governments, we ask the private sector to engage, because they believed that there is actually a willingness to take proposals and to carry them through. So these proponents put forward a proposal. It was funded by the federal government. It was approved all the way up the line by the Yukon Party system, and suddenly the approval by the Yukon Party was withdrawn, leaving a number of First Nation governments and their corporations not only chagrined, but angry. It's a continuation of that kind of relationship that this government doesn't quite get with respect to working with First Nation governments.

The end result was that not only did we not see the development of that industry in this territory, we saw the costs going from \$2.4 million to over \$31 million. So because this government did not listen to the Auditor General — refuses to — and sometimes considers the Auditor General's views as simply opinions, Yukoners continue to pay for an attitude that disregards principles of fiscal management.

An area that has received considerable discussion and will continue to receive discussion, because the story is not over, is the issue of the Whitehorse Correctional Centre.

Going back to July 2007, Steve Cardiff, who was the NDP MLA for Mount Lorne, raised some concerns about the distinct possibility that the new Whitehorse Correctional Centre would be significantly overbudget. At the time, Mr. Cardiff said, and I quote: "This year's budget includes \$3.24 million for design work on a replacement for the antiquated Whitehorse Correctional Centre ..., but the minister ... has been completely silent on how this project is coming along ... By now, there should have at least been a Request for Proposals issued, but there's been nothing."

Mr. Cardiff went on to note that it had been four and a half years since the Yukon Party government abruptly halted work on the new correctional facility proposed by the previous government, after about \$2 million had already been spent. Mr. Cardiff said, and I quote: "A project like the new correctional facility, with an eventual price tag of \$25 million or more, needs a high degree of transparency so that Yukon people know they are getting value for money. We know this government's track record of resisting openness and transparency.

Taxpayers shouldn't be saddled with another project like the Watson Lake health facility where decisions made behind closed doors to bypass the established competitive bidding process result in lengthy delays and skyrocketing costs."

Six years ago Mr. Cardiff called on the then Justice minister to give a full accounting for what was happening at the Correctional Centre project. Further on in an exchange in the spring of 2008 with the then Minister of Highways and Public Works, Mr. Cardiff noted that the project which had begun with an initial price tag of around \$21 million had ballooned to \$32 million. When questioned about the growing costs and probably future cost overruns, Mr. Lang evaded the question and said, "The program will be starting this year and it will be unfolding over the next period of time. We will be working with contractors, we will be working with bidding and hopefully, at the end of the day, our prices will come in line."

You know what, Mr. Speaker? We have an obligation to do more than hope that our prices are going to come in line. We have obligation to deliver. Mr. Cardiff raised the concerns of the Auditor General about the planning and fiscal controls of the government on this project. Mr. Cardiff pointedly asked about how the government would address the Auditor General's concern. Mr. Lang answered that of course his government is working with the report and that, and I quote, "We are certainly working with the report and the shortcomings that report showed the government of the day."

I must give that minister credit. At least he acknowledged the government's failings and did not try to spin it off as a success or to hide it as a new platform commitment. However, the minister did hedge his bets by claiming that hopefully the new costs would meet the budget expectations. Well, they didn't. That \$32-million raw cost became \$60 million and now we are near \$70 million — somewhere near that — spent on replacing the Whitehorse Correctional Centre.

Would more oversight have been a good thing to help ensure Yukon taxpayers didn't get fleeced, as a \$20-million project turned to a \$70-million project? I think so. I believe Yukon taxpayers believe so.

There's yet another case study that we could use to perhaps learn about why an effective legislative oversight is so important. It was recently reported in the media that wastewater was flooding out of the treatment centre in Dawson City — the waste-water treatment plant — into the town.

The builder, Corix, is currently doing operation and maintenance under contract to the Yukon government and the builder is to train and hand over operation and maintenance to the municipality. You know what, Mr. Speaker? The town is saying they don't want to be in charge of operation and maintenance until they know what the costs are and those costs are going up. The city manager said, and I quote: "At this point in time, we don't know what — if it works; we don't know that it works or what the operating costs are."

There were many concerns about this project at the outset; still, the Yukon Party plowed ahead. This is yet another example of not listening, which points to item 4 in our motion: the need for greater transparency and oversight.

So let's look at a little bit of background; I'm not going into too much detail here — on the Dawson waste-water treatment plant. We'll all recall that this waste-water treatment project was court-ordered after the municipality of Dawson City was found to be in violation of the law for dumping untreated sewage into the Yukon River.

Corix of Victoria, British Columbia, was awarded the contract in April 2009 to build this treatment plant.

You will recall also, I'm sure, that there was considerable discussion when the Yukon government decided to go Outside and hired AECOM Technology Corporation, which is an American professional technical and management support services conglomerate, and B.C. Bid — a B.C. Crown agency responsible for P3s — as experts on the bid. The original bid was \$25 million. Eyebrows were raised at the time because the Corix bid was by far the highest. A rival contractor bid \$16.5 million and used a technology utilized in 700 locations around the world, including 100 in the north.

The eyebrows were also raised because the technology Corix put forward was unproven in the north. So despite the Premier's current speaking points about his fiscal management with respect to the bids on the F.H. Collins replacement, this story is a case of when his Yukon Party government went for the highest bid from an Outside company with an unproven system. To date the Yukon government has paid Corix \$27 million — that's according to the contract registry.

So while Corix is currently doing operation and maintenance and doing reporting, it's the municipality that signs it off, and the municipality is rightly concerned about assuming responsibility for this project. Rumour also has it, Mr. Speaker — because lacking the aspect of transparency, rumours have become the currency, and that's unfortunate for government — that there are several areas of non-compliance with the water licence.

This is a project that could have used greater oversight and the ability for the public to say, "Hold on a minute. Let's get this right. Let's rein it in. Let's do the right thing here."

Today's motion is necessary because of mistakes made in the past, currently, with public money. Health care, schools, waste management — these are not things to play political games with. We are deadly serious about how Yukoners are served by this House.

This motion is explicitly clear on its goals. Room has been intentionally left for the government, in conjunction with opposition politicians, if the government chooses, to develop the details of increased legislative oversight of capital project spending. However, the principle is clear.

As I said during Question Period, oversight of government spending in our parliamentary system is a fundamental role of all elected Members of the Legislative Assembly, not just those in Cabinet. I can understand why the Premier might not like this, which is presumably why he refused to answer the question. It's contrary to the Yukon Party's failed approach of operating behind closed doors and keeping the public in the dark — but you know, I have faith in the fact that people say things when they put themselves out for public office. I recall the Premier in the leadership forums saying that he would do gov-

ernment differently from his predecessors in the Yukon Party. I believed him. I am looking for ways to find some manifestation of what he said in those public debates — what he said to the electorate — about being willing to do government differently. We're asking him to consider this.

The Office of the Auditor General of Canada has shown conclusively in numerous reports — and I have cited them this afternoon — that the Yukon Party government makes decisions based on political concerns instead of due process or evidence.

We've all seen the result — poor results, wasted dollars, squandered opportunities. Something has to change.

As I also said during Question Period, I do suspect that this is a difficult issue for the Premier. No one likes to make mistakes. No one likes to admit that they've been wrong. No one likes acknowledging that they are not good at something after spending immeasurable time and effort trying to convince the public that they are. However, the people of the Yukon, who have entrusted us to manage the affairs of the territory on their behalf, expect and deserve better from us — and I mean all of us, regardless of partisan stripe. They expect government to learn from past mistakes and take concrete action to ensure that they are not repeated. That's what is laid out by this motion.

While my comments have evoked some of the many examples of Yukon Party mismanagement of major capital projects, the motion itself does not judge. It lays no blame. It proposes a positive, forward-looking solution to a serious issue. While I don't wish to prescribe a specific mechanism for increased legislative oversight on the floor of the House today, I would like to provide an example of legislative oversight in another jurisdiction that might help inform Yukon's approach.

First I will mention that when discussing capital projects, there can be concerns about commercial confidentiality. Commercial confidentiality needs to be respected, and parallels can be drawn from the example I'm about to provide and applied to this notion of commercial confidentiality. An example of a committee handling sensitive information in a pragmatic fashion can be found in the U.K. They have developed a committee of parliamentarians to provide legislative oversight on national security. This committee is composed of elected members who are granted access to sensitive information on the understanding that elected politicians require full disclosure and information in order to support, oppose or ask to modify policies, programs or actions. This committee provides annual reports. Areas touching on national security requirements can be edited out.

Now, one could say that the issues of capital projects spending and national security are, needless to say, very different from one another. However, the principle holds on matters of importance to the jurisdiction in question, legislators must be able to perform their duties with full access to all relevant information. As successful, national oversight committees show, oversight can be provided on sensitive matters without sacrificing confidentiality. A similar proposal has been made in Canada by a progressive research organization in regard to well-known problems with federal government defence spending. As I mentioned earlier, to avoid future boondoggles, the establishment of a parliamentary committee or sub-committee re-

sponsible for major Crown projects has been proposed. In this case, greater parliamentary oversight would result in government spending that is significantly more likely to guarantee jobs, specific costs and generally involve a greater degree of open competition. It is so essential that people not only think that there is open competition but they know for sure that there is. These are admirable objectives that serve the public interest.

The Minister of Highways and Public Works has spoken recently about the procurement office. He said that this government is for working with contractors and for better procuring of services. We accept that work is needed to address procurement issues for businesses, especially small, Yukon-owned businesses. Contractors I have met with have been clear that the government's procurement process is broken, costing them potential economic opportunities and wasting taxpayers' money.

We do not need to see headlines like "Contractors in the Whistle Bend subdivision toyed with like pawns in a chess game". That's not what we need. That doesn't reflect well on this Legislative Assembly. It's important that we all agree that the processes must be made fair and accessible. However, as laudable as it is, the minister's procurements initiative is a single, narrow initiative. It's a slice of what needs to be dealt with. It's not enough.

The Auditor General has roundly criticized the way this government plans major capital projects and how it makes decisions with the public purse — with the taxpayers' money. Like his predecessor, the Premier has attempted to minimize the importance of the Auditor General's findings about the state of capital project mismanagement and the lack of planning.

So it's on to the next massive project without any sense there have been lessons learned from past mistakes.

I've talked a little bit about a number of the mistakes that have led to cost overruns at the athletes village, the Whitehorse Correctional Centre — those that are built without properly demonstrated need; the two hospitals; the overseeing of projects with major functional problems; the Dawson sewage project; renovation of the then-Watson Lake multi-care facility, which morphed into a hospital to avoid scrutiny from the Legislative Assembly; the spending of millions on planning for projects unlikely to get off the ground without an end-project — the Alaska-Yukon railway feasibility study comes to mind; the P3 bridge at Dawson.

In light of the serious rebukes from the Auditor General and the confusion surrounding F.H. Collins, the public has very little confidence in this government's ability to manage large, complex infrastructure projects. The long-term impacts of recent capital projects, such as cost overruns, unnecessary design features and ballooning operating costs, will affect the Government of Yukon's future budgets, future hiring needs and, ultimately, future generations of taxpayers.

In the Yukon, government capital projects constitute a significant share of the Yukon economy. It's a spin — it's like a ripple effect. It is important that we get them right. The money wasted on fiscal mismanagement is money taken from other

important programs and services that meets the needs of Yukon people.

The need for increased legislative oversight of capital project spending couldn't be clearer. I know it, Yukon people know it, and I believe the members opposite likely know it as well. We believe that more oversight by Members of the Legislative Assembly and others, more participation by the public in the discussion of capital spending and assessments of needs, must come first. We believe that through more oversight we can make sound choices and avoid major boondoggles. The current practice is not working. We are proposing a better way, a more transparent and accountable way to manage the public purse for the betterment of the territory and its people, our fellow citizens.

We will never agree on all matters brought before this House. No one expects us to. However, our constituents, the people of the Yukon expect us to set aside partisan consideration when the good of the territory is clearly at stake.

I believe this is one such situation, one such opportunity. I respectfully encourage all members of this House to support this motion. Together we can deliver better results for the people we represent, the people we were elected to serve — today, tomorrow and for future generations. It is the right thing to do, Mr. Speaker, so let's get on with it.

Hon. Mr. Istchenko: I just want to say that when the Auditor General came out in 2008, I was a fishing guide. I spent quite a bit of time as a private business owner operating in the Yukon Territory and very much enjoyed it and created a great experience for a lot of tourists who came to the Yukon. So I'm not going to speak to what happened back in 2008-09, but I will go on to look — obviously, whoever crafted this motion for the members opposite has been listening to the questions that were asked previously and the questions now, the answers from the ministers on what we are doing, what we learned from the Auditor General. So I'm going to speak to the positive things that we already are doing.

Highways and Public Works is committed to supporting Yukoners, enriching their lives, providing them with high-quality, affordable and energy-efficient government facilities. Highways and Public Work's focus is to optimize the use of the existing building portfolio, which includes replacing assets at the end of their economic life. The goal is to maximize efficiency in the use of capital assets and O&M resources. Highways and Public Works takes a holistic view of its portfolio and tries to find added efficiencies by partnering the initiatives of different departments, where possible. Highways and Public Works uses a project-ranking system that takes into account a variety of important factors, including health and safety and ongoing O&M costs.

The aim is to identify capital projects that will deliver the best return on investment for Yukoners. The Yukon population is growing. Highways and Public Works wants to help Yukon grow by finding better and smarter ways to develop quality public infrastructure, despite the limited resources. Highways and Public Works maintains a portfolio of more than 350 owned buildings and 70 leased buildings. Mr. Speaker, the old-

est building is the Old Territorial Administration Building — that's in the Member for Klondike's area — which is now the Dawson City Museum. It was constructed in 1901. The average age of Yukon government buildings valued at \$2 million and higher is 34 years old. The Yukon government spends about \$12 million annually on capital maintenance of government buildings.

We continue to make improvements to our project planning, leasing and maintenance practices. To this end, the Property Management division of Highways and Public Works has developed a set of portfolio management approaches to measure real property assets that seek to match demand for property with available supply, dispose of liabilities, increase the value of the asset and strategically procure and manage real estate to minimize the real estate costs to government.

This initiative has led to efficiency improving in project planning, leasing and maintenance practices. The Yukon government has also committed to improving access to government buildings by its employees, its clients and the general public. This commitment means taking steps to ensure that persons with physical disabilities can safely enter, exit and function within any government building where they work or access public services.

In the past five years, Highways and Public Works has worked collaboratively with the Yukon Council on Disability to perform accessibility assessments of a number of Yukon government's larger facilities. More than a dozen assessments have been completed, and the findings are taken into account during capital and space planning.

The Yukon government has been steadily improving the accessibility of its buildings in five ways: ensuring all new construction and lease space is accessible from day one; moving services from inaccessible buildings to ones that are accessible; responding to specific access requirements of building tenants on an as-needed basis; identifying accessibility as a key factor when setting annual priorities for capital maintenance; and addressing accessibility issues during capital upgrades undertaken for any other reason.

Good governance means improving government corporate information systems, whether it be finance, human resources, records, land information, data warehouses and records management and storage. Our government is investing \$7.318 million to improve the corporate information system and \$1.115 million for the records program improvement initiative, which is improving records management practices across the government to a standard that will support the management of digital records.

The Government of Yukon has modernized how we procure goods — I listened to the member opposite talk about our procurement office — and services to make government contract regulations, policies and procedures fair, consistent and accessible for businesses. We are being responsive to input we heard from contractors and suppliers, and we are simplifying procurement processes so that it is easier to do business with the government. What suppliers told us is they want increased information about and access to government business opportunities.

Specifically, some of the local suppliers asked us to provide more training to government employees to increase expertise and consistency — we heard that across the way earlier; increase centralized support for procurement — I heard that across the way; introduce more electronic tools without negatively affecting smaller businesses; recognize contributions of local business to Yukon's economy; increase consistency, fairness and transparency; reduce supplier time and cost to provide bids; provide supplier development services to local businesses; measure and track suppliers' performance and use bid evaluation; spread work and tenders out over the years.

We are building on the foundations of strong government procurement by focusing our efforts on improving internal processes, especially those that have created challenges for our suppliers. These improvements will directly benefit local suppliers who are interested in providing goods and services to the Yukon government. We have a fiscal responsibility to ensure we are getting better value for our money and at the same time we want to reduce the cost of doing business with us and generally provide better procurement services.

By enhancing our relationship with businesses we are better able to match government needs with the available local resources and help our businesses to be more competitive. We will continue to work proactively with local business to ensure that they are our suppliers of choice whenever possible.

Amendment proposed

Hon. Mr. Istchenko: I move

THAT Motion No. 368 be amended by deleting the word "increase" and replacing it with the words "continue to improve".

Speaker: I think everybody has a copy of the amendment. The amendment is in order.

As such, it is moved by the Minister of Highways and Public Works

THAT Motion No. 368 be amended by deleting the word "increase" and replacing it with the words "continue to improve."

Minister of Highways and Public Works, you have 20 minutes on the amendment.

Hon. Mr. Istchenko: Mr. Speaker, I just want to talk about a few projects since 2008 that have been managed on time and completed on time. The seniors residence in Whitehorse was a \$12-million budgeted project. It came in at \$11.4 million. Dawson City housing was a \$6-million project that came in at \$5.3 million. We manage Shawkak money on a regular basis to the tune of millions and millions of dollars.

When the question was asked in the House earlier, I spoke about how Canada was so impressed that they wanted us to manage the building of their Customs houses, which we did on time and on budget. We have two beautiful cultural centres and we're managing a number of capital projects now. Betty's Haven is a new second-stage housing facility for women and children escaping family violence. There is a new four-bay ambulance station for EMS — a new emergency response facility.

The Ross River community arena — a design/build contract for the new arena was signed with Ketz Pacific.

The APU, the arrest processing unit, is an intake and holding facility we built as an addition to the Whitehorse Correctional Centre. The new passenger boarding bridge: construction of the new bridge has been completed. It was a good example of the construction agreement, a YACA agreement, with the Yukon government and Kwanlin Dun First Nation.

The 2012-13 budget includes a multi-year capital plan that enables Yukon's private sector contractors to plan ahead in relation to our commitment to stable, predictable investments in key sectors of our economy. We are committed to a multi-year plan of expenditures concerning information technology of \$6.5 million; capital building maintenance of \$10.25 million; and transportation infrastructure of \$57 million. So large capital projects in this budget cycle include such things as follow: Yukon College mobile trades unit; the Watson Lake conservation office; Atlin campground; McDonald Lodge replacement; the Sarah Steele replacement; the Whitehorse senior housing project; Mayo senior housing project; Swift River living complex; and Beaver Creek is getting a major \$3.66-million face-lift. The Ross River public works building will be officially opened upon completion later this spring.

We will be spending \$4 million this year on permafrost remediation to stabilize the north Alaska Highway and improve the drainage capacity and replace the deteriorating BST surface with hot-mix asphalt on the Haines Road. A further \$13.5 million will be spent on pavement overlay for the Haines Road.

The Campbell Highway will be undergoing reconstruction from kilometre 10 to 190 with an allocation of \$8.5 million. This is a high-standard road that provides a safe route for the mix of industrial and private traffic currently using the highway. Another \$1.5 million will be utilized to carry out surface repairs on other sections of the Campbell Highway. The Atlin Road will see clearing. Our government has been working collaboratively with the Vuntut Gwitchin First Nation to fund the Yukon government contribution to the 2014 winter road project. I'm sure the Member for Vuntut Gwitchin will pray for snow, as we didn't have enough last year and the project was cancelled.

Other highway improvements include \$2 million for the second year of a two-year project for reconstruction and surfacing of the Hot Springs Road. I might add to the comment on oversight and public input from the member opposite: additional public consultation will be undertaken to ensure residents are completely informed of the 2013 construction plan and to determine preferred options in relation to proposed sports trails adjacent to the highway. \$500,000 is to complete safety improvements, such as guardrail replacement or repair rock and falling protection upgrade improvements on primary highways.

There is \$500,000 for aggregate reproduction and surface of the Silver Trail — \$1.25 million for surfacing spot repairs and erosion control on the Dempster Highway. We have \$500,000 again this year for the resource access road program. HPW works with Economic Development, Energy, Mines and Resources, Executive Council Office and Environment to develop a resource access roads framework. The goal of the

framework is to clearly outline roles and responsibilities of government and industry in the development and management of resource roads. The framework recognizes the interest of First Nations and communities — once again, public input in addition to meeting all legal and YESAA consultation obligations; \$200,000 for our rural roads upgrade program, which we've spoken about many times in this House; \$1.35 million for improvements to the Canol Road; \$870,000 for the surfacing and safety improvements for various secondary roads.

Bridge work continues — \$1.18 million for rehabilitation of bridges at Stewart, Yukon, Carmacks, Haldane and Wagon Creek, and a further \$500,000 has been allocated for rehabilitation and design of the Nisutlin Bay bridge.

HPW builds and maintains the infrastructure that enables Yukoners to go about their daily lives with safety, connectivity and purpose. We built the foundation that enables Yukoners to travel where they need to and to connect with the people who matter to them. We manage airports to meet the high safety standards set by Transport Canada. Government investments — the Premier spoke to it yesterday and I spoke to it before: we are committed to our aerodromes to the tune of \$2.35 million this year and ongoing upgrades for brushing, airfield levelling, safety security improvements, as well as lighting, installation of the run-up pads.

Community aerodromes provide the community with access to emergency health care through the support of the air medevac operations as well as facilitate RCMP justice. Aerial firefighting activities have become the hub of support, emerging with the relief efforts flowing from a potential disaster and emergency.

I want to speak a little bit to some of the things that were said about the Dawson waste-water treatment plant. The member opposite was correct when she said that in 2003 Dawson had to comply with a court order. This is a project where we went above and beyond the oversight of government spending and public input.

We went through — I can't count them on many sets of hands — the public consultation in Dawson City. We started off working with them all the way on this. We have to thank Building Canada and our federal counterparts for the money that we received for that so we could afford that. The price of the project comes from the fact that when you plead guilty to something, you need to build something to rectify the problem. Community consultation — we started with the lagoon so we were on this small area because that was the only option. The City of Dawson had a referendum on this. There were many public meetings on this and we continue to work with them. Many other municipalities are under the same types of orders where they have to upgrade water and sewer systems. We are managing this system for a full year at our cost for the residents of Dawson and we're working all the way with them to make sure that it's sustainable for them in the future.

One of our other major commitments in our platform was to build a new secondary school in Whitehorse to replace F.H. Collins. First of all, Mr. Speaker, I would really like to reassure the students, the parents and teachers that we fully intend to meet the commitment, as I've said before. As you know, the

bids on the concept for the new F. H. Collins school went out for public tender; however, they came in 21 percent higher — almost \$10 million above the government's pre-tender estimate. This plays into what the Auditor General said.

Our government is committed to the principle of fiscal responsibility. It's for that reason we will not be proceeding with a tender-design concept. The Premier, the Finance minister, can find many priorities for \$10 million. Work on this will proceed in a timely manner. The member opposite was alluding to loss of jobs — there will be construction, there will be jobs. Students will continue their studies in the current facility without interruption while construction of the new building begins.

In closing, this government will continue to utilize our multi-year capital plans to guide the development of Yukon infrastructure projects and provide clarity and certainty for the public and industry about Yukon's infrastructure priorities. We will continue to identify capital projects that will deliver the best return on the investment. We will continue to make improvements in our project planning, leasing and maintenance practices. We will continue to improve access to government buildings. We will continue to modernize how we procure goods and services. We will continue to deliver on the projects in a fiscally responsible manner.

Ms. Hanson: There have been times when people have suggested to me that the Yukon Party is tone-deaf. I think what we've seen this afternoon is that they're absolutely deaf. They don't hear what the people of the Yukon are saying — and saying loud and clear. Reiterating, listing — almost verbatim — what came out of the Legislative Assembly Blues the other day of various projects, listing again the long list of projects planned and restated again in the Budget Address to be projected again for this year — that's not what we're talking about.

What the member opposite has done, and what he has demonstrated by this amendment to this motion, is that the Yukon Party firmly rejects any notion of working in collaboration, in cooperation, with the members of this Legislative Assembly to achieve the purposes that we were all elected for: to represent all Yukoners.

We were not elected to perpetuate or to employ spin. I can understand that a minister responsible for contracting for the Highways and Public Works portfolio would be rightfully proud of a number of initiatives that he and his officials are working on, but that's not what we're talking about. He's talking about how he is accountable to this Legislative Assembly and to the people of this territory for implementing decisions after the legislative authority has been granted through this Legislative Assembly — something, I would note, the Minister of Environment seems to have forgotten yesterday with respect to the inclusion in the supplementary estimates of an item that did not receive Legislative Assembly approval, but that's another matter for another day.

In our proposal today, as I said when I spoke, this was offered as a constructive suggestion because we believe that oversight for the stewardship of the financial resources of this

territory is our responsibility — the responsibility of all of us elected to this Legislative Assembly.

What we are being asked to do by the wording — not a huge number of words, but just enough to ensure that we maintain the status quo. You know what, Mr. Speaker? The status quo is not working. As I said earlier, the members opposite can continue to be deaf to the sentiments expressed by the citizens of this territory, but that will not change the fact of the matter that they have an obligation and a duty to all Yukoners, and we have an obligation and a duty to rise above the petty partisanship that so quickly subsumes everything else in this Chamber.

We're not talking about a partisan approach. What we're talking about is rising above that and acting with the honour and the respect that we owe each other and we owe the people who elected us to ensure when the business of the territory is carried out, it's carried out in an open, transparent and accountable way.

I guess I'm trying to find a way of saying this and maintain a sense of respect for the member opposite, but the reality is that this amendment is an insult. It shows that the Yukon Party government simply doesn't get it. As I said, it's demonstrating again the status quo — things are just fine, they say. Things are just fine. Well, day to day, time over time, the evidence is proving that wrong.

It's not true that things are just fine, and you and I — all 19 of us — who were elected by the people of this territory have an obligation to serve people better than this. It's telling that a government would twist, and effectively reject, a motion calling for better oversight of the spending of the millions of dollars of taxpayers' money. I suppose it should come as little surprise from a government that just recently enacted severe restrictions on public access to information — the most draconian across this country. If it wasn't clear when the *Access to Information and Protection of Privacy Act* was being gutted, it's very clear now that the Yukon Party government has little interest in open and accountable government. You know, the Yukon Party platform called for just that: open and accountable government. A promise made and a promise broken.

I said earlier that I had hope and I had faith — that I had actually placed some faith that when the Premier had made these commitments in his statements during the leadership debates for this past election, that he said he was prepared to do things differently than this predecessor, that he was prepared to have an open and accountable relationship with the electorate of this territory. I actually believed him. Kind of naive I guess, but I tend to do that. I actually do tend to take people at their word. I believe that a promise is a promise. I believe passionately in the obligations and the responsibilities I took on when I was granted the privilege of being elected as a member of this Legislative Assembly to represent not only the members and the constituency of Whitehorse Centre, but the broader public. I understand that with those obligations and responsibilities it's often difficult to maintain a balance. That's why having an ability to step back from the various partisan pressures that we face, to think about who we are as Members of the Legislative Assembly and what our overall obligations are to the citizens of

the Yukon — that's why I thought that perhaps there might be an opportunity.

There has been in the past in this Assembly, Mr. Speaker. There have been instances where members of this Legislative Assembly have been able to rise above the petty partisanship and actually work together for the good of Yukon citizens.

Unfortunately what we're seeing this afternoon in my mind is a sign — yet another sign — of a government that wants to continually demonstrate that it's arrogant and it's completely out of touch. It's a government that believes that somehow it can act as if it is above scrutiny. You know what, Mr. Speaker? Acting as if you're above scrutiny may last for awhile. It's called the "bullyboy approach" — it'll get you where you want to get to for awhile, but not long. It's apparent from the Yukon Party's terrible track record of fiscal mismanagement of capital projects and their effective rejection of the motion that they want to keep the public in the dark. Well, Mr. Speaker, they'll probably succeed in railroading through the amendment to this motion. I should have expected it.

I did have hope and I did have faith in each of the members opposite that they actually had the integrity and the belief in themselves that they could respond to their core desire when they got elected, when they put themselves forward in front of the citizens of this territory, that they did it to serve all Yukoners.

We do believe — and I thought that we all shared this. But I will tell you now that the Yukon New Democratic Party, the Official Opposition, does believe that our government belongs to the people, that we are responsible to the people. We do believe that government business should be made more public and transparent by increasing legislative oversight on major projects, and we don't believe in shrouding government in secrecy. Any government that believes it must operate in secrecy must question whether or not they have, at heart, any of the democratic principles upon which we are supposed to be founded.

We offered this motion today in a spirit of cooperation, to be constructive, hoping that we could actually work together. One of the ideas we threw out there was the possibility of establishing a standing committee to deal with this. They don't meet every day, all day. It's on rare occasions that something like this would come up — where a matter like this would be necessary to be brought forward to this kind of a committee. That's only one idea that we threw out there.

We thought perhaps members opposite might be able to break out of the script, might be able to actually engage in discussion and debate because that's what we were elected for. We are not elected to simply read the *Hansard* of the other day or the list of projects that somebody handed them — but you know it is unfortunate, so I should make clear, I guess, because perhaps I haven't made it clear yet: the Official Opposition cannot and will not support the proposed amendment to this motion because it completely controverts the intention of the motion, subverts the idea that there is any responsibility that we carry individually and collectively as members of this Legislative Assembly. That's unfortunate; we still have a lot of work to do together.

It just makes the challenge of doing that work more difficult, because if we have an attitude on one side that says that we don't need to do anything — that things are just fine as they are — it makes it a little bit more difficult to break through and actually have the conversation.

On that note, I'll turn the floor over to others. I'm sure that there are views that my colleagues would like to express — the member of the Third Party and others — with respect to this proposed amendment.

Speaker: Minister of Health and Social Services, on the amendment, please.

Hon. Mr. Graham: I should, first of all, indicate that I do support the amendment — even more so now than when this whole debate began.

It was very interesting to me that the Leader of the Official Opposition said she wasn't interested in playing political games and that not only was she not interested in political games, but political gamesmanship was not something that any of us should engage in. Then she did an about-face and did exactly what she said that she didn't believe was a good idea.

This motion dealt with capital projects. It dealt with capital projects that she believed had not been adequately supervised and had not been carried out efficiently and in the best possible manner, and then, as an example of this poor capital funding, she brought up a \$12.7-million expenditure that was made in 2006, I believe — between 2006 and 2011 — and took me to task for not even being aware for what purpose the expenditure was made. Well, in the first place the \$12.7 million wasn't even capital money. It was not capital money. And this motion was about capital. It was about an expenditure made to recruit and retain physicians in the territory through a five-year period — and I made a mistake. I have to admit it. I told the truth. I didn't know what the \$12.7 million was spent on. I have taken the necessary steps to find out what it was spent on and have some preliminary information that it was used to fund seats for Yukon university students in medical schools. It was used for training and a number of other things. I'll get an extensive list soon, but I made the mistake of saying that I don't know. I told the truth. Today I'm taken to task because I obviously don't care about how money is expended in this Legislature and that this is an example of why we need oversight. That is totally ridiculous and it is totally about political games.

I told the members opposite at the time that what we are interested in is patient care. That's what this expenditure was all about, or the \$8.5 million. That's another thing — I get questions about an \$8.5-million fund that is in the new contract with the Yukon Medical Association, but not once during the whole Question Period has the member opposite ever said that this \$8.5 million was actually over a five-year period. Again, political games — of course it is. But I don't play those kinds of games. I believe in telling the truth and I believe in taking responsibility for my own actions or for actions of people I direct, if that so happens. We did that with the Yukon Hospital Corporation.

The CEO of the Yukon Hospital Corporation and I had a press release after the Auditor General's report was published and we said yes, we take full responsibility. We agreed with many of the comments made by the Auditor General and we would take those comments forward and make sure that that didn't happen again. The very next time the Legislature meets, I get questions about this massive plan for the hospital that is going to go into the future and how are we going to make sure that it isn't an overexpenditure and late in coming in. It was a planning exercise and that's what I tried to make plain to the member opposite, but those things seem to get lost in the political gamesmanship that she wants to play even though she derides it quite vociferously. What also is a clear example of it to me is the convenient memory. The length of time and when these capital projects begin and end — I had to take notice of the fact that they ended 11 years ago — any of the examples of poor capital management ended 11 years ago.

They didn't go back for a few years beyond that when we were talking about a Watson Lake sawmill that I don't know how many tens of millions of dollars were sunk into by an NDP government. There is not even a building standing. At least we have a few buildings standing here for the capital projects that we've evidently done so improperly. Those are the kinds of things that I really, really have difficulty with.

When we talk about what kind of political oversight we could utilize to better manage these projects, she's talking about a cooperative venture between us and the opposition. I've served on a couple of really great cooperative committees with a couple of members opposite and I find they were very, very pleasant and productive. But when I see this kind of political gamesmanship played by the Leader of the Official Opposition, I tell you, I would have a great deal of difficulty sitting on a committee, looking at anything while I was worried about how my comments were going to be misinterpreted, how they were going to be twisted — and she said down here "twisted and rejected her motion" — but my comments were twisted as well. They were twisted and they were used to her political advantage even though that was not intended and I merely told the truth. I would have a great deal of difficulty sitting on a committee knowing that was a possibility.

It was also interesting for me to hear that she wasn't talking about a partisan approach and yet the only overruns we talked about were overruns done during the Yukon Party's time. I could go on and on about ones done during the New Democratic Party's time in government too, but I don't think that is the point. We realize there have been problems with some capital projects that have been undertaken by this government and by previous governments. We've heard the Minister of Highways and Public Works say that, yes, we realize it and we are trying to make changes. We are making changes; we are not trying, we are making positive changes. We'll continue to do that. It's unfortunate that because of the attitude of the member opposite, the Leader of the Official Opposition, that even when we discuss in our own caucus options for cross-party committees and things like that, I will be forced to throw a note of hesitancy in any of those conversations because of the manner in which my own comments have been twisted and

taken completely out of context. It's really unfortunate because I hoped to avoid that.

I know I served a great deal of time with one of the members opposite in municipal council and we didn't have party lines there and we were able to work together. We were able to disagree one day and work on a project the next day. When I re-entered territorial politics, I had hoped that the same thing would happen. Evidently, the days that I remember — the kinder gentler days 35 years ago when I could take the Leader of the Official Opposition to lunch and discuss an upcoming piece of legislation and find out what he thought about it and where we could potentially make changes — those days are gone, obviously, because I would be absolutely terrified to do that any longer.

So it's unfortunate, because I think back then we had a much better time here in the government. Maybe it wasn't so acrimonious but unfortunately, I guess, it's a sign of the times. Mr. Speaker, it's unfortunate, isn't it?

With that, I'll just close with a little saying. The author of this saying is George Demeter. *Demeter's Manual of Parliamentary Law and Procedure* preceded any other parliamentary law and procedure, and he said, "Hence, democratic self-government implies that the minority, however convinced of its own wisdom, consents to be ruled by the majority, until in orderly process it can make itself the majority."

Ms. Stick: I would prefer to be standing here and speaking to the original motion and not to this amendment that I don't believe is a friendly one. In fact, what this amendment suggests to me is just more of the same old, same old. Nothing will change. We do not want to see this government continuing down this path of poorly planned or under-planned, over-budgeted and past-schedule projects. "Continue to improve" — well, that should be the mantra of every department and every minister's goal for his or her department. It's what we all should be doing — striving to continue to improve, even in our personal lives — I hope I can strive to continue to improve. So that should just be a given. It shouldn't be a replacement for increased legislative oversight of capital project spending with a goal — I could read on but I won't. We need to increase the legislative oversight, not have more of the same. Continue to improve — I would hope so.

The Minister of Highways and Public Works spoke about many of his proud accomplishments, or those of his department. That's great. It's good. There should be accomplishments. We're here to work. We're here to accomplish things. We're here to provide service to Yukoners, to citizens. Those are our jobs. Those are the ministers' jobs. Those are the jobs of the departments of this government. Some things are happening. We're not going to deny that, but too many current projects that are going forward have myriad concerns. Again, we hear about planning done and then put aside, money spent for naught.

I will use examples. F.H. Collins Secondary School is a current one. That is since we started. The money spent already is close to \$6 million, spent on planning, on infrastructure work — capital planning and spending — and we have not anything

ready. I attended the council meeting last week and heard that the minister and his staff are looking at options and they plan to come back to the school council, perhaps resurrect the building advisory committee, which is not going to happen. That kind of stunned me. They are not going to resurrect the building advisory committee. There has to be a way for parents and students and teachers and administration and citizens to have some input into this next plan because the one that they did support, the one that they did work on together has been put aside. We haven't a clue — campus-style. People don't know what that means. People are not clear on what's happening next.

I know what's not happening. Repairs to F.H. Collins have been put off because we are getting a new school. Planning — regular student planning — is in flux because the gym was supposed to be done two weeks ago. We talk about jobs disappearing. Well, there was a company in place, with employees ready to tear that gym down, only to find out — “No, not happening. Sorry about that.” Poor planning. That was just one contract.

The minister should be proud of his improvements. Of course he should. We should always be striving for that. It's what the citizens of the Yukon expect of us and not the same — not the moving ahead without planning, without consulting and without listening to Yukoners.

In the last six weeks, the Leader of the Official Opposition, the Member for Whitehorse Centre and different colleagues of mine have travelled around the Yukon. We've had public meetings; we've had private conversations; we've met with municipal governments; we've met with First Nation governments; we've met with employees of this government and citizens.

We've listened to them, and we've come back with a list — and some of the questions will be coming in this Question Period. But the biggest thing I've heard are people's comments of how they feel that their input, their suggestions, their expertise, their care and concern about this territory have not been listened to. They ask us. They ask us — the Official Opposition: How can you change that? What are you going to do?

This was an example of a way we tried to bring something forward where members on this side and the members on that side could work together and look at capital projects and find a way of offering oversight, not telling people how to do it — oversight, not micromanaging — but looking at the plan and making sure those important questions that the Auditor General has pointed out to us are answered. Is this what we need? Is this the best use of our taxpayer money? Or the federal government's money? All of our money — is this the best use of it? What are the outcomes going to be? Are they measurable? Will this improve health? Will this improve the health of our citizens?

That would be one of the jobs of this committee. Continue to improve? That might be a part of their role, to make sure that's happening, that things are improving. We need to increase legislative oversight of capital project spending. That's what needs to happen. There are too many projects today that are overbudget, not open, not available and not well planned. Even now, we're not sure how this will be staffed, how this

will be managed. What are the costs going to be to run a facility? What are the final building costs going to be?

We didn't even talk about the financial project management of these two hospitals and how that company has run into difficulties. Now we have — I think it's bond holders or someone else making sure that there's oversight on these projects. That never should have happened. If there was a committee with oversight, they might have been alerted earlier, known what was going on and done something.

I don't pretend to have the answers. I don't. But there was a suggestion here that here's a way that maybe we can avoid some of these difficulties — avoid cancelling contracts, avoid cancelling the building of a school that students have been waiting for, for years. How many graduations do we have to go to and listen to “This is the last grad here”? It has been going on for too long.

Students have probably started at that school and graduated, and the only thing they have seen is their basketball court torn down, their parking lot dug up, and that's it. That's all they have seen — minimal repairs, classrooms that are too hot, classrooms that are too cold because we don't want to put the capital into that to fix those because we are getting a new school.

These hospitals for the communities are built now. We all recognize that. We're not going to tear them down and make them into apartment buildings; they are hospitals. But do we know yet how those are going to be staffed? That's O&M; that's not capital. Those hospitals should not have been built when we didn't know what the outcome was going to be, or we didn't even know what we were going to provide in them. They are there and they are built. They are not open and they are not done, and they are overbudget. Oversight — you bet. These projects needed that. It could have happened and it can happen on future projects. There are lots to come. There are buildings to replace. Other governments can build megaprojects and come in on time, on budget. It shouldn't be a given that any project is going to come in overbudget. That should never be the belief because good planning, good oversight and good management will make sure that doesn't happen.

The City of Whitehorse could bring in a Canada Games Centre, open it ahead of time underbudget. Yes, it did, and I will argue that or arm wrestle with another member from across the way about that one because we can have disagreements and come back the next day and carry on with our work.

The public service building — it's up. It's a big building. It serves a lot of needs of this community. The municipalities cannot afford to go overbudget and overtime on these capital projects. They're not allowed, and they work hard, and they have oversight and they get the job done as it's laid out. They plan it well ahead of time. They know what their needs are. They know who is paying the bills, and they do it properly.

I'm disappointed. I had really hoped that this motion could go forward. It didn't tell us how to do it. It didn't ask the government to do it this way or that, but it opened up options to talk about it and to figure it out. The member opposite spoke about being on other standing committees or one-time committees, and we have been able to do that. We have our disagree-

ments, and we come back and we figure it out. We do not twist each other's words later in the Legislature on committee business we do. We do not. The decision of that committee is the decision of that committee, and we agree to that. I personally have not brought words from those committee meetings back and twisted them in this House. It's not the point; it's not political gain.

I cannot support this amendment. It's not friendly; it's just more of the status quo. Continue to improve? I sure hope so. We can't carry on this way. I will not support this amendment. Thank you, Mr. Speaker.

Hon. Mr. Kent: On the amendment, Mr. Speaker — I wasn't planning on speaking on the amendment until I heard the dialogue from the Member for Riverdale South with respect to F.H. Collins and, in particular, the council meeting that she and I both attended last week. Again, like the Minister of Health and Social Services, I am disappointed in the political gamesmanship that the Leader of the Official Opposition spoke out so strongly against.

When it comes to the meeting we had last week, of course, the school council was there, a number of the administrative staff were there, and some concerned parents were also in attendance.

I was in attendance with the Deputy Minister of Education, and we spoke about, obviously, the F.H. Collins replacement project. The first thing I talked about was the new design — and I did send a letter to the school community with respect to this as well. The campus-style design is one of the things we've been talking about. Just to clarify for the parent community in this letter and, again, to clarify on the floor of the House, I guess, because I thought the Member for Riverdale South — perhaps she just didn't hear that part of the presentation at the council meeting.

We don't envision a design where, when the bell rings, students will grab their boots and parkas. That's not what this is about. What we envision is all the core functions of the school being under one roof — the gymnasium, the cafeteria, the library, all the offices, and the classrooms. The campus style envisions complementary buildings that are already on the property, such as the Teen Parent Centre and the Gadzoosdaa residence, as well as the opportunity to add other buildings in the future so that the in-the-ground infrastructure we put in can perhaps be utilized in the future for a different building that complements the existing high school and increases the educational opportunities for the students who are attending F.H. Collins.

At that meeting I also mentioned to the council that we are looking at options. We're going to look at a design concept that has already been constructed successfully and economically in other jurisdictions. That's certainly an improvement over the process.

Some Hon. Member: (Inaudible)

Point of order

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

Ms. White: In Standing Order 19(b)(ii), if a member "speaks to a matter other than a motion or amendment the member intends to move..." Right now we are discussing F.H. Collins, but I don't see how it is being tied into the amended motion.

Speaker's ruling

Speaker: Actually, we are speaking to the amendment, not the amended motion. I do believe the minister is speaking to the amendment and will tie it back together to prove his point regarding the proposed change to the motion.

Hon. Mr. Kent: When we talk about continuing to improve the process using a design concept that has already been constructed successfully and economically in other jurisdictions and, of course, incorporating elements from the previous consultation process. That previous consultation process was conducted by the building advisory committee. A significant amount of work was put in by that committee — work that exists in minutes of meetings and in the programming options that have been developed — and we fully intend to incorporate some of those elements in the new design.

How we'll engage the school community in moving forward with this is to work with the school council. I attended that meeting last week, as well as the Deputy Minister of Education, who met with staff and administration on Monday of this week just to give them an update on where we're at.

So when we talk about the building advisory committee process and continuing to improve the ways that we progress with capital projects, I said in the last sitting of this Legislature that we're going to review that building advisory committee process. We're going to review that process to see what improvements we can make, perhaps what the membership should be — including more officials from Highways and Public Works, senior officials from Highways and Public Works. We're looking at options to improve that because, as many members in the House will know, there are a number of schools — particularly in the Whitehorse area — that are nearing the end of their life and we're looking to replace those over the next while through a long-term capital planning process. We want to make sure that we have a process in place that makes improvements.

At that meeting of the school council last week with the deputy minister and me talking to the school community there, we mentioned again those buildings that have been constructed successfully and economically in other jurisdictions. Alberta, for example, is building four schools for \$100 million. That is not to say that we are going to get that type of a bargain out of the deal, but that is one of the jurisdictions we are looking at.

Certainly all members in this House will recognize that that's a substantially better return on the investment of those dollars than what came with the 21-percent over-estimate price that we got for the existing design at F.H. Collins. I think that as far as the actual expenditures so far, there has been \$5.3 million expended of what was anticipated to be around a \$56-million budget, so there is room in there for us to make the necessary changes. Of course that includes other expenditures, such as demolition and other types of things with respect to that

school. This is an example of how we are continuing to improve the process going forward when it comes to capital buildings.

One of the other things that I would like to just briefly touch on is with respect to a couple of projects that the Yukon Housing Corporation has undertaken. I believe the Minister of Highways and Public Works in his remarks mentioned the waterfront seniors project — the new project that is close to Earl's and the Health and Social Services and HPW building. That was a design/build that came in underbudget.

The new Alexander Street residence that is being designed right now has had significant board oversight. The board of directors of the Housing Corporation has had a number of meetings and continues to meet with the designer on that project as they look to bring in those 34 units with a successful bid, looking to the budget that we've set aside.

When we talk about continuing to improve, we made a number of improvements already and are always looking for other ones. Just quickly back to F.H. Collins — we had envisioned a project management team to oversee the construction of that project and that will carry forward to the new project where we can have someone on-site so as to minimize any stoppages in work or change orders and look to bring that project in as close to the budgeted amount we talked about.

I've heard from some members opposite about comments I've made that this project will be on time and on budget. If you go back through what I've stated and the press releases, whether it was talking about the temporary gym or others, we've always been consistent in saying that these were subject to a successful bid. I don't believe that \$10 million, or 21 percent, constitutes a successful bid before any contractors arrive on-site. We're going back out; we're going to again incorporate the input from the building advisory committee and build something we can all be proud of as a community: a school that is utilized by students from across the territory.

As my colleague, the Minister of Health and Social Services, and listening to the Leader of the Official Opposition when she talks about political gamesmanship, we certainly witnessed that in the statements from the Member for Riverdale South on the council meeting that occurred last week, where I clearly said things that perhaps she didn't hear. I'm willing to give her the benefit of the doubt that perhaps she didn't hear me talk about the building advisory committee and what the new style was and what we were planning.

I think there are some exciting aspects of that existing design such as the geothermal heat that we'd certainly like to transfer to the new school. Depending on the location, we may have to move the well location as well, but I think that members in the House, certainly on this side of the House, can recognize that we are continually looking for improvements to the capital planning and construction phases when it comes to building capital projects here in the Yukon.

Mr. Tredger: I support the motion as written and do not support the amendment. I'm disappointed and find this amendment very unfortunate. The amendment just spins this serious issue into a public relations issue for the government. It

is actually this exact issue — this government's unwillingness to look into the mirror, to look at history — largely their history — that has resulted in this ongoing travesty and waste of taxpayers' dollars. The government is suggesting that all is good. Some is good, but there are some serious problems.

One of the problems is that this government refuses to acknowledge this while everyone else can see the truth. So let us forget the spin, and let me tell this House why we should ignore this government's attempt to spin this. Good government — we all agreed to it. We promised our constituents. This original motion is all about good government — government that is open, transparent and accountable. This motion is about planning and fiscal responsibility, and I thank the Member for Whitehorse Centre for bringing forth the original motion.

Something is not working. Something is wrong in the State of Denmark. We can, and the public expects us to do better. The original NDP motion provides the structure to restore the public's faith in our government, and all parties should support the original motion as good governance. I urge them to reject the amendment. I will reference a few projects as related to education. That is the area that I am familiar with and why they indicate we should reject the amendment.

The F.H. Collins replacement project is the most recent example of when a major capital project goes wrong for a government. Almost to the day, one year ago, the Premier said, and I quote: "As I have stated, we are committed to F.H. Collins. Like all projects now, we want to ensure that due diligence is done." Like all projects now, we want to ensure that the diligence is done. We make sure that when we make an investment, when we are using taxpayers' dollars, we ensure that this is done wisely and that our diligence is done to ensure the investments meet scrutiny and we meet expectations of taxpayers and that we're spending their money wisely."

In the last few weeks, we have heard the government reiterate the due diligence argument. Unfortunately, this is now their defence for doing the project wrong. In short, they are trying to make an omelet out of broken eggs. Rather than learn from the mistakes, the government is claiming that this is part of doing government right.

Mr. Speaker, of course we should expect the government to continue to improve. But what we are calling for is increased scrutiny. "See?" they say, "We are not throwing good money after bad. That is how fiscally responsible we are and shows our due diligence." The words ring hollow, Mr. Speaker. An oversight committee may have helped us a long time ago. The government promised a refit of F.H. Collins back in 2002.

It is now 2013. The government has thrown away millions of dollars and is back to the drawing board. The project has been an ongoing saga of broken promises, delays, flip-flops, confusion and decisions that leave students, parents and taxpayers scratching their collective heads.

Under the Liberal government of 2000-02, the Liberals announced that a replacement for the aging F.H. Collins school would be built at an estimated \$25 million. The plans for F.H. Collins were shelved by the new Yukon Party government, so the old school sat and the deterioration of the structure continued. As referenced by my colleague from Riverdale South,

many repairs were left undone in anticipation of the new building.

In 2009, the Yukon Party Education minister announced the replacement school would be rebuilt over the next three or four years. According to this timeline, the school should have been completed by the end of this year at a cost not expected to exceed the \$25 million the Liberal government had promised. It should be noted that the estimates at the time put the cost of replacing the school at nearly double that amount — at \$48 million, but the government went with the old estimate. An oversight committee may have picked that up.

Of course, no ground was broken. Then came the great photo op of the new Premier's announcement, just before the October 2011 election. The Premier, with a shovel in his hands, said this was a shovel-ready project and promised a new school by the end of 2013 — shenanigans. And then the problems really started to stack up. The heating system went from geothermal to geothermal out, and then back again. The gym became a running sore point and even caused the graduating class of F.H. Collins to hold its annual fashion show early this year, as the gym was to be torn down. Of course, the gym wasn't torn down. In fact, the government's cost estimates, now at \$55 million, did not survive the private sector. Their bids were much, much higher than the government planned for. The result: The government pulled back its plans and its design and went back to the drawing board, all the while declaring victory for sound fiscal planning and management.

The government wasted not only millions of pre-planning dollars for design, they have now abandoned, but that caused considerable stress for students, parents, teachers and school administrators, and goodness knows how much stress they've put into government workers who are desperately trying to keep up with the moving target that was this government's pre-election photo op. Now we hear of lost jobs, service contracts that Yukon companies and contractors have forfeited — maybe next summer; maybe not.

Mistakes, or rather sagas, like F.H. Collins are not only about the waste of taxpayers' dollars. They are also about people's lives, jobs and education. These values should also be top of mind for government when they plan major capital projects. Perhaps more legislative oversight might ensure an open, transparent, fiscally responsible project going forward. Remember, we are spending our friends', our neighbours', and our families' tax dollars.

The mess that is F.H. Collins is well-documented. At this rate, it may become a teaching tool in capital management planning classes. My colleague from Whitehorse Centre gave an overview of some of the documented blunderings, or, as I think of it, as a floundering elephant in a china shop.

Schools without lockers — I will speak of some of the other situations, building blunders, that came up when communities were left out. We have built schools without lockers, schools with no storage, schools with heating systems that don't work, playgrounds full of construction material, heating bills and shifting structures. I could go on, but rather than reiterate these and other fiascos, I would like to focus on what this

means for Yukon people and why we must do things differently.

While the F.H. Collins debacle is an incredible waste of taxpayers' money, it has also had an effect on the lives of our students and teachers who have worked in the old F.H. Collins building. True to true Yukon spirit, they had made the best of it. They have ignored the peeling paint, the warped hallways, the faulty ventilation, regularly bursting and leaking pipes, a very quirky heating system, and the various stages of construction as plans were on again and off again. I commend them for their humour, their dedication and their investment in each other to ensure that, despite the blunders, they created a great school.

They created a caring, supportive atmosphere and, most importantly, a learning environment. I am proud of them and salute the staff and students of F.H. Collins.

Planning, supervision, long-term goals, atmosphere, space and time all require cooperation and coordination. An oversight committee might ensure that this is happening, that Yukon people are involved in the process. What we have been given are promises made and broken and made again and broken again — unnecessary stress placed on our school and community. Never again should our schools and children be used as political footballs.

The politicization of major projects has a similar effect in our communities; in fact, I would say it's magnified and in other departments as well. Government must make decisions based on need, community input and proper planning.

A great deal of work is required at the ground level to propose and advocate for a particular project, often to have the ultimate decision made in a partisan or, at best, a top-down manner. This is very discouraging and not empowering.

I would refer to a time in the mid-1990s, and this would give you an example of what an oversight committee would see happen all the time. At that time, many of the rural schools were deteriorating. Each community was coming forth. They wanted and needed a new school. Each community had reasons for why they should be the one to go first or next. It became apparent that there was a need to take the decision out of the political realm where winners and losers are declared. The awarding of capital projects is too important to be left to a political whim. In the 1990s, governments still believed they represented all Yukon people, and those governments took the decision-making out of the political realm, involved the public and put in place oversight mechanisms and a more transparent process.

This resulted in a transparent and open process initiated by department officials. School councils and community representatives came together. They established priorities, looked at the needs of each community, and came up with an order to proceed in, each community in their turn. This process brought communities to work together, prioritizing the needs of each community, and came up with a fiscally responsible and fair order for schools to be developed. The communities and the department could then focus on the task at hand, rather than competing with each other for an arbitrary decision to be made.

The key was involving people affected in a transparent and open process.

In order to be truly fiscally responsible, affected Yukon citizens and staff can and must be involved in an open, fair and transparent process. Given the opportunity, Yukoners will rise to the occasion. They have shown the capacity, the honesty, and the ability to get the job done.

Not always will these attempts succeed, but gains we made then were only to be lost in this last decade. Capital decisions are far too important and should be made based on need, not political caprice. The impact of major projects on small communities, the jobs, the citizens, the quality of life and the taxable base for funding other projects is too important. There is a need to build major investments that allow communities to remain attractive to current and prospective residents. There is a need for recreational facilities, access to quality schools and government services and that process should be clear and transparent. Involvement in planning can save money, create lasting employment and an improved lifestyle. We need to tap into the resources of the community skills and local knowledge.

It's important that an oversight committee be established to ensure this happens. Fiscally we cannot afford to continue to waste our tax dollars. The Yukon Party government has become lackadaisical, if not downright negligent, with our tax dollars. They have become dependent upon and used to spending a great deal of federal money and using the accumulated surpluses to cover their fiscal mismanagement.

The NDP and I would like to move forward toward a better way of doing things, toward good governance. I thank the Member for Whitehorse Centre for bringing forth this motion. I encourage all to oppose the amendment as it substantially changes it. The NDP supports good government; the NDP supports open and transparent and accountable government for all Yukon people; the NDP believes in building projects that meet the real needs of Yukon citizens; the NDP supports fiscal responsibility and careful management of our resources.

In conclusion, we need evidence-based decisions that are based on demonstrated need in the most appropriate and cost-effective way. We need to properly plan, anticipate and manage risks, and we need to deliver major capital projects on time and on budget. Transparency and accountability must be built into all major capital projects and these should be developed with greater public involvement.

There are practical lessons that Yukoners should have learned from past mistakes. I cannot in good conscience support this amendment and I believe it is far past time for the Legislative Assembly to look at an oversight committee that will ensure fair, fiscally responsible and equitable access to capital projects for all citizens of the Yukon and maybe, most importantly, that those decisions be transparent to all.

Ms. White: In speaking to the amendment, we have another example of the power of words. The first time I learned of this power of words was my very first opposition Wednesday, and I put forward a motion that talked about developing a housing strategy. It was amended to implement the housing strategy and then the meaning of the motion changed, and it

changed drastically. I'm reminded of the power of words, so I look at this amendment today, and it says, to "be amended by deleting the word 'increase' and replacing it with the words, 'continue to improve'"

"THAT this House urges the Government of Yukon to continue to improve legislative oversight of capital project spending, with the goal of ensuring such projects are ..." and the list goes on.

I'm new to this game. I'm new to this. I'm a chef by trade, and I've come out of private business. I've worked in mining camps, and this is not familiar territory for me. But I tell you, I'm learning the power of language.

So when I look at this motion originally and then I look at what this amendment means, I think that — the memories in this room are long — very long. I understand that, and I learn new things every day. We can talk about sawmills. We can talk about transmission lines and we can talk about every mistake that has ever been made. We can talk about schools. We can talk about hospitals. But the point is, every government makes mistakes. That's not disputable. We've all mistakes — mistakes that I didn't even know about. They exist and they get pointed out. The truth of the matter is that they exist. They're on record. Projects have been behind. Projects have been over cost, projects haven't been built, money has been put in, and decisions have been changed. It happens. It is government and it happens. I'm learning that. If I did that in private business I would have gone bankrupt and that would have been awful, but that's not how government works.

The motion was a suggestion about how governments could behave — the current government, future governments, the governments that are still to come. I believe that this is an issue of importance to all Yukoners. I think it's of importance to government staff so they can have more clarity in where they are going with their jobs and with their planning. I think this should be of importance to all political parties, including the current government, including the current opposition, the Third Party and the Independent member — because what we are talking about is that governments make mistakes. We know that. What we are asking for is the opportunity for all elected members to work together.

I was thinking about this — and I apologize because the notes are everywhere, because I've never had an office before and I've never had a desk before. I sit on the Standing Committee on Appointments to Major Government Boards and Committees, and we met today. We sat around a table and discussed issues and we discussed our job of what we had to do, and even though we disagreed, we got to a point where we were in consensus and the business of the day moved forward. I believe we can work together; I know we can work together. I know that, although we have differences politically, deep down inside we all care about the Yukon and we all want things to be better.

I believe that the amendment changes the intent of the motion so much that instead of actually looking toward change — actual legitimate change — by increasing legislative oversight, we've softened the words to such an extent to continue to improve. I'm new to this. I'm going to keep reiterating this — I'm new to this. So I think about all the tools that I have available

to me as a member of the opposition, including legislative oversight, and I think, “Okay, well, what are my options? What have I done so far?” Well, I’ve done Question Period and I can only imagine that the frustration exists on both sides because I have a minute to ask my question and you have a minute and a half to answer and I learned that it’s not called “answer period,” it’s called “Question Period.” The question goes out, a response comes — typically you’re not even on the same page — so I think, “Okay, is that a tool for legislative oversight?” I asked a question; I don’t get an answer; you might want to give me an answer, but you can’t because it’s Question Period and that’s not how it works. I think, “Okay, well, that tool doesn’t seem to be the most effective way for legislative oversight.”

I think about written questions. I haven’t tried that yet, but maybe one day I’ll put in a written question and maybe I’ll get a written response. That might work out to some way, that might have some effect, but is it legislative oversight? Have we had the opportunity to discuss it? Have we had the opportunity to come to consensus to figure out that that’s the best way forward? I don’t think that really works.

Then we look at motions and motion debate — so we’re in a motion debate right now and I’m debating the amendment, right? Is this the most effective way for legislative oversight? Could be, I guess. Then I think about the budget debate and I think about the opportunity and the back-and-forth. I’ve learned that it’s different with every minister and it’s a learning process and I’ve learned that some questions I can ask and some I can’t and maybe I’m best to wait until line by line — it’s a learning process. Do I think that’s the best legislative oversight? Well, sometimes I don’t get the answer, or I don’t understand how we got there, so I’m not sure that that’s the best tool either.

When we talk about continuing to improve legislative oversight, I’m new to the game and I’m trying to figure out what that improvement might be.

There is a Spanish philosopher who said: “Those who cannot remember the past are condemned to repeat it.” I worry that we’re here just going in a circular conversation. I bet you if I were better at searching *Hansard*, I could find a similar debate that happened at one time on this floor. I bet you that since 1976, something like this conversation has happened before, and we’re just going around and around in circles. So those who cannot remember the past are condemned to repeat it. I mean, we’ve all heard variations of this quotation, but I think citizens of the Yukon deserve more from their governments. I think they should expect us to put aside our partisan politics on both sides — and I’m not going to get into it. I’m just going to say that I’d like to think that when I sit around that committee table, I’m just trying to pick out the best person for that board based on the information that I’ve been given. And I wonder if there was the possibility of there being an organization — and maybe it’s a combination of legislators and others who would make up something that could be this oversight committee. I wonder if someone would have caught that the waterfront seniors complex that was built has the exact same bathtubs as 600 College Drive, and the seniors at 600 College Drive can’t use their bathtubs — and it turns out the seniors at Waterfront Sta-

tion can’t either. I wonder if we could have had the discussion — I mean, the sawmill was long before my time, but maybe someone could have said, “Oh, I don’t know. Trees in the Yukon aren’t really a renewable resource because they don’t grow fast enough and they’re not going to be big enough, so what are we going to turn them into?”

Maybe that conversation could have happened if we had legislative oversight, if we had the opportunity to tackle it from different views. I’m going to use an example of my possible legislative tools here. We are talking about continuing to improve legislative oversight tools. This is an example from Question Period, and I’m glad it’s not from a recent Question Period because that would be too soon. This is an excerpt from *Hansard* from April 30, 2008. It has been used already, but I’m going to reference it again because I think it’s important. Tell me if this makes sense as a tool. We are talking about corrections. Mr. Cardiff, who was the MLA for Mount Lorne-Southern Lakes, was having a conversation with the then Highways and Public Works minister, Mr. Lang. This was the question, “According to the terms of reference for the jail replacement, the price tag — the raw price — is over \$32 million. Can the Minister of Highways and Public Works assure us that there is not a blank cheque for contractors building a new jail and that Yukon taxpayers will not have to be on the hook for huge cost overruns like we have seen on so many projects that this government has been responsible for?” I’m wondering right now, is that my tool for legislative oversight? I’m trying to ask about money being spent and have one minute to get that out.

This is the answer from the Hon. Mr. Lang. “As we move into the project, it will be bid out, and those questions will be answered as we move through this program. The program will be starting this year, and it will be unfolding over the next period of time. We will be working with contractors, we will be working with bidding and hopefully, at the end of the day, our prices will come in line.”

Well, I mean, like I said, I’m new to this game, but legislative oversight? So the question was asked: Was it going to stay at that price — \$32 million — or was it going to go over? The answer? Well, it wasn’t answer period; it was Question Period.

So then it continues on. I think I’ve probably made the point. I probably don’t have to keep reading that. The difference in the language between “continue to improve” and “increase” is that, at this point in time, I do not believe that we have legislative oversight. From the tools that I have and what I’ve learned — and I am open to suggestions and corrections and someone can direct me as to how I can get that oversight, and I’d be happy to take advantage of it — but “continue to improve legislative oversight”. Well, right now, I hesitate to think that there is legislative oversight, that for the business of the day that happens here in 60 days in 365 days of the year, we are confined to the Order Paper and we have to follow the rules of this Assembly and some of those really big topics that we need to talk about don’t ever see the light of day. If they do, they don’t see enough.

We can’t ask those hard questions. We can’t get down to details, and that’s what the original motion was about. It was

about being able to get down to those details — that this House urges the Government of Yukon to continue to improve legislative oversight of capital project spending with the goal of ensuring projects are undertaken, only when there is evidence they will serve demonstrated needs in the most appropriate and cost-effective way. During Question Period I ask: Has the government done its homework, and do we need hospitals in Watson Lake and Dawson City? Was that how that was supposed to happen? Was that legislative oversight supposed to happen during Question Period, maybe during budget debate? Maybe it should have been a written question — can we please see that you have done your homework? — and this is where it is supposed to happen. We can throw it in. We can add sawmill — I don't know anything about the sawmill, but we can throw that in and we can replace it with sawmill. We can replace it with transmission line. We can replace it with any mistake. That's the point. It doesn't have to be the mistake of the current government. It can be the mistake of the past governments. But the idea is that, moving toward the future, we are giving the next governments the tools for legislative oversight so they can do the business they have to do better than we are doing it now.

Right now it doesn't feel like it works. Right now it feels like it's broken. We have questions for which we can't get answers, so it plays out in the press. Is that the most effective way? Really, is that the most effective way? Sometimes I wish I could have a conversation with someone who could just answer the question because then it wouldn't lead to a letter-writing campaign or to frustration when I'm trying to pass on information to someone else — but we don't have legislative oversight right now as it stands.

This House urges the Government of Yukon to continue to improve legislative oversight of capital project spending with the goal of ensuring projects are planned to anticipate and manage risks.

With my current toolbox, as I understand it, I don't think that I have the ability to have that legislative oversight. I don't — and I can keep on going through: that this House urges the Government of Yukon to continue to improve legislative oversight of capital project spending with the goal of ensuring projects are planned to anticipate and manage risks — oh, I said that one — delivered on time and on budget.

Where in Question Period am I supposed to ask if F.H. Collins will be built on time and on budget? Is that the legislative oversight we have? Or that we break it up into the budget debate?

The original motion was trying to give us the tools to increase legislative oversight — accepting and recognizing that right now there isn't enough legislative oversight. As best as I can identify — and keeping in mind that this is new to me — I don't see where we have that legislative oversight. I don't know where we can have those conversations. I don't know where we can have the conversations between both sides — not in this House — so those details can get hashed out and we can figure it out together. I don't know where that exists right now. So the original motion with the original intent was to give us as legislators the ability for legislative oversight.

The amendment “to continue to improve legislative oversight” insinuates that right now we have that ability, that it's there — that we have it and we just have to feed it more; it just has to get bigger — we just have to make it better. But I don't believe that it exists right now.

In my short time in office, we're going on close to, what — 18 months? I haven't found where that magic legislative oversight exists. I don't feel that I necessarily get the information that I need to be able to make decisions or to be able to understand why decisions were made.

If someone could explain to me why the government didn't sit down with the contractor of the lowest bid and take a look at things that could have changed — maybe common ground could have been found; maybe we didn't need wood from California. Maybe we could have changed things — maybe we could have moved the footprint. Maybe we could have come to a compromise and that new school could be built — that beautiful school could have been built.

As it stands with this amendment — to amend by deleting the word “increase” and replacing it with the words “continue to improve” — I don't believe that it continues in the same vein as it was intended. I worry that right now, that for the next three years, these are the tools that I have for legislative oversight and I'm concerned that projects just don't get the scrutiny that they deserve.

Legislative oversight gives all members — government, opposition, third party, independent — it gives all Members of the Legislative Assembly power and authority to oversee all stages of capital projects, from planning to implementing — all those things, obviously. Legislative oversight gives all members of the Legislative Assembly the power and the authority to see all capital projects through the needs assessment, through the planning stages and through the building stages.

It gives us the opportunity to ask questions, and it gives the opportunity to get answers. My concern is that if we adopt this motion as it stands, that we're going to go with the status quo. We're going to take the softer language because it is easier, because there is less work involved. Well, I want legislative oversight. I want to understand where capital projects have come from, and I want to understand how they got to where they were, or how decisions were reached. I have grave concerns that the idea of continuing to improve legislative oversight that I don't see right now is not going to take me anywhere and, for that reason, I'm voting against this amendment.

Speaker: Does any other member wish to be heard on the amendment?

Amendment to Motion No. 368 agreed to

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

Mr. Silver: I do have a few comments that I would like to put on the record about this motion, as amended. It certainly speaks to an important issue: the construction of capital projects. The Yukon Party has had its share of problems with capital projects — more than its share, actually — and many of

them are of their own doing. While I can support the intention of this motion, it remains unclear what new information or solutions the motion brings to the table. In terms of legislative oversight, we already have the Public Accounts Committee that performs this function. I didn't hear the mover of the motion propose any new mechanisms to provide more legislative oversight in Question Period today or in her opening remarks. She did state in her opening statements here today that she doesn't know what these things look like — perhaps maybe a committee — and that was echoed by other members of her caucus.

Otherwise, the purpose of the motion seems to be more political than solution-oriented. With solutions suggested, today's debate would seem less of a platform to attack the government on its record.

I don't want to belittle the content of this motion, but I am disappointed, however, that the mover didn't actually propose any solutions.

With regard to the motion itself, (1) speaks to demonstrated need. It's clear, for example, that the motivation behind the two new hospitals in rural Yukon was political and didn't demonstrate need. The Liberal caucus spent years asking the government to lay out the case for going ahead with the new hospitals instead of new health care centres or collaborative clinics. The government refused to provide the information, because they just didn't have it, as it turns out. There was no due diligence done, just political direction given. The Auditor General's report confirmed this.

With regard to the fourth point, public accountability again is the point that we have been emphasizing for years. The Yukon Party moved the construction of the new hospitals and residence to avoid public scrutiny in this House. Unfortunately for the government, the projects were so badly managed that they caught the attention of the Auditor General.

The final point speaks to following recommendations from the Yukon's own auditor and the Auditor General of Canada. We all remember the former Premier mocking the Auditor General of Canada over her reports. He said it was "just her opinion" when the government broke the *Financial Administration Act*.

In the budget speech last week, the Premier again took aim at the Auditor General, criticizing the auditor for criticizing the government. Hope springs eternal, I suppose, but I'm not very optimistic the government will start taking the advice of the auditors. The government's internal auditor hasn't issued a report since 2011 and I can't help but wonder why.

In closing, I will be supporting the motion, but I am disappointed that the mover did fail to provide solutions.

Ms. Stick: I would like to speak to the amended motion. I had hoped that we would be speaking to the original motion. The member of the Third Party suggested that there should have been solutions in this motion that would have made it more acceptable, or more accepted by the members in this House. This party was deliberate in not prescribing how this motion should be implemented.

For one, it would have suggested that it would not have been the whole Legislature sitting down and discussing how we

would be able to provide this oversight. I think we would have seen amendments proposed that were more than the three words that were proposed in the last amendment. We were deliberate in not being prescriptive. We don't pretend to have all the answers. We don't want to presume that we have all the answers and that there isn't a way for a committee of this House to sit down and figure out how we could meet these five conditions or these five objectives.

That would have been a good thing, a good place for a select committee or a group from this House to start. It's fairly straightforward — ensure projects are "undertaken only when there is evidence they will serve demonstrated needs in the most appropriate and cost-effective way." So there are lots of ways we could have done that. We have consultants who do reports for our departments. We have public consultation, community consultation and government-to-government consultation.

Those could have been talked about and discussed. What are the ways that we are going to undertake and prove that these things are needed, are appropriate and are cost-effective? And I would add to that: "that have measurable outcomes." No sense setting goals if we don't know what the outcomes are or what we want them to be. Once we have those goals, are we in fact meeting them?

The second one: "Ensure such projects are planned to anticipate and manage risks." Every budget for a major capital project has a percentage that's written into it that says unforeseen costs may be anticipated — there may be something that we're not planning on. This group would figure out what the risks are. How are we going to anticipate those risks? Maybe it's talking to a project manager. Maybe it's hiring a project manager who is on the site every day — I thought that's what project managers did. They don't sit somewhere separate from the project. They are there. They're on the ground. They're listening to the workers. They're listening to the planners. They know what's happening. If something has to be changed, they're there. It's not the next day or later. They can anticipate these things, and they can manage the risks.

Every project has a risk. We know that. A select committee like this could have talked about ways to manage projects. Perhaps it's reports from project managers: "This is what's going on. This might come up." There are ways it could have been done, but we did not want to be prescriptive. We do not have all the answers. We do not have all the experience. Not everyone in this Legislature, on whichever side — not all of us have experience managing capital projects. These are huge.

If I were trying to manage a capital project, I'd want all the backup and support I could get so that if things did go sideways, if there were unanticipated risks, I would have people there who understand it. They might criticize and not like the way I handled it, but they would have understood because they were there from the beginning and they saw how it happened.

Delivering on time and on budget is part of managing risks. If those things are done — if contractors are clear, if the project manager is clear and the expectations that when a project is put out to tender, that's what we want, not pages and pages of change orders as we build, not planning as we build.

Delivered on time and on budget — it can happen with big projects; it happens. Yes, some of this government's capital projects have been on time and on budget. Isn't that our expectation? Isn't that what citizens expect?

Developed with greater public transparency and accountability — presumably on a committee like this — again, we did not prescribe who would be on it. Maybe you do have a business person from this community. Maybe you have a retired teacher on this committee, if you're looking at a school. Maybe you have a community member or a member from another government on this committee. That's one way to have greater public transparency and accountability. It's not hidden away. It's not a secret that has to be pulled out in Question Period or maybe budget debate. It's more than a press release. It's more than a surprise announcement in the middle of spring break when those most affected aren't even here.

Developed with greater public transparency and accountability — that's what people want. They want to know what is happening with their money and they want to know why things happen. Sometimes they may even forgive. Not always, but if you don't tell them and if you aren't up front and honest, people become angry. Citizens become angry, contractors become angry. The opposition becomes angry. We did not prescribe how that would happen, nor did we assume to. Manage in ways that reflect the best practices outlined in numerous reports prepared for the Government of Yukon by its internal auditor and by the Office of the Auditor General of Canada. There are lots of recommendations. They keep telling us how to plan, how to do these projects, what needs to happen to be accountable and fiscally responsible. We do have the Public Accounts Committee, and the good news is that it meets. It's a new committee; we're learning our way. So far we've only been able to look at the reports of the Auditor General of Canada.

We don't pick and choose what the auditor looks at. We can make suggestions, we can ask him to look at certain areas if we know what the Auditor General is auditing, but we can't anticipate — not yet. But the Public Accounts Committee is there to hold the government to account — departments to account — after the fact. Those are important things that the Auditor tells us — this happened, or that happened — but to me, most important is the recommendations on how to avoid the same mistakes over and over. Mistake once, overbudget twice, three times — there are good projects, on time and on budget, but lately just been too many have been too far overbudget and not on time. So no, we did not prescribe how this oversight committee could work. We didn't intend to; we didn't think it was our place.

We didn't think it was our place. This was a motion that said let's work together and figure out how to do these things. These aren't the rules because if we had started putting rules in, if we started talking about how we would do this and how we would do that, then for sure it would have been shot down. It would have been pointed out to us that we're not the government. It would have been pointed out to us that it was presumptuous for us to be telling the government or the members of this Legislature how this standing committee or this oversight committee should work. There are enough examples out there

— we don't have to reinvent the wheel. That can be researched. People can look and see the ways that work in other governments across this country. This is not a new idea. We won't take credit for that. It might be a new idea in this Legislature, but trust me, it happens in other places across this country.

I'll go back to what I said earlier about continuing to improve. It is my hope that that's always our goal — to continue to improve. It shouldn't have to be in a motion. It should be our goal; it should be what we strive for. I know it's what our employees strive for.

Anyway, I cannot support this amended motion, Mr. Speaker, because I feel it loses the whole thrust of the motion. To me it just says it's more status quo — carry on, on we go, continue to improve. Yes, how about increase? Go back to that. Let's do better. Let's find ways to do better as a Legislature on these important projects to all Yukoners — hospitals, schools, ambulance stations and correctional centres. It affects a lot of citizens of our territory and it's their money, it's our money and it's not fair when, because of poor management, that money is misspent.

Mr. Tredger: I will speak to the motion as amended. Sometimes I come up with one-liners that come from songs. So we continue to continue to pretend. Of course we expect our government to continue to improve, but this motion was about good government and good governance. We made promises to each other, to our constituents and to ourselves. We promised that we would pursue open and accountable government.

We promised that we would represent all the people of the Yukon. We promised that we would be fiscally responsible. This motion was an opportunity to achieve that.

One of the concerns that has been expressed to me by my constituents is a feeling that decisions are made arbitrarily. Decisions are made in Whitehorse's favour. Our community isn't considered. That community got something. When will we get something?

I want to be clear. It's not about getting something. It's about providing communities and Yukon people an opportunity to build their communities, to build their families. In order to do so, the process of spending their tax dollars needs to be open, transparent, fair and accountable.

Transparent — bringing projects to the Legislature, sharing the plans, justifying them, and showing where their needs are, makes it a transparent process. This enables all Yukoners to have a window on the process, to feel involved and engaged, and to know that the process is clear.

I was pleased to hear the Member for Watson Lake yesterday mention that the Minister for Highways and Public Works would look at the lighting on all highways, and it's important that that process be clear and transparent so that the people of Stewart Crossing, Pelly Crossing and Carmacks, who have been asking for more lighting for several years now, know that that process is fair and is considering their needs.

They see the trucks rumbling by. They see people coming up to their communities in the dead of winter or in the dark, and they want to know that they too are being considered.

It is through capital spending that we build the major projects we need so society can function and thrive, so society can grow and take care of itself, so they can deal with emergencies and care for the sick, and so they can power our economy and work, communicate and play.

Where for energy, schools, health care, highway infrastructure, telecommunications infrastructure, community infrastructure, new subdivisions and recreation centres, decisions on major capital should be clear, transparent, open and accountable and perceivably fair and equitable to all.

As I referenced earlier in a previous part of the debate, Yukoners are very capable of working together, of setting priorities. They will understand and wait their turn if the process is transparent and perceptibly fair and equitable. The impact of major projects on small communities in terms of jobs, citizen quality of life and a taxable base for funding is significant. When Highways and Public Works begins a project, it has a significant impact on a small community, as any rural member can attest to.

I can also say with some certainty that the more involved a local community is, the more engaged they are and the more fiscally responsible that project will be. When you involve local people, they can find ways to make it happen. They can find ways — innovative and creative — to build structures, to advise us. That's why it's important that the oversight from a territory-wide Legislature look at projects and set those priorities so that the people in the communities and in Whitehorse — whether it's a ski hill or a rec centre or a highway or a seniors centre — know that they're involved and that their concerns are being taken care of.

Their involvement and development of planning can save money. It can help to create lasting employment and it can improve their lifestyle. We as a government need to tap into resources of the community — the skills and the local knowledge.

I'd like to cite my community for the way the Na Cho Nyäk Dun, the Village of Mayo and the people of Mayo have worked together with this government and have been supported by this government in their projects. The example shown on some of their projects should be replicated across the territory. More open and transparent accountability will help ensure that because it's a sharing of the ideas. I commend the members opposite for the work that they have done in the Village of Mayo.

I commend the Minister of Community Services for the work. It's exciting when I go to a community and hear, "The minister was here, she worked with us and we're working on this." That process should be open and transparent.

The Minister of Education and of housing is working with the community of Mayo to build a seniors' complex. I hope he takes that beginning and builds a complex that takes into account the continuity of care and has an overall plan that would help the seniors in the community to stay in that community, to help them deal with their sense of isolation as they grow older, to supply healthcare in their homes, to help keep them in the community and involved. It's not an easy task, but it's an important one.

Proper planning and having an oversight committee territory-wide would help to ensure the openness and transparency. A number of important decisions are to be made in the next little while. The Premier talked about mine training, tourism and fine arts. When I go to a community, I hear them say, "Wouldn't this be a good place for a mine training centre?" How is that decision going to be made? Is it going to be in Whitehorse? Is it going to be in Dawson? Is it going to be in Mayo or Watson Lake? All those communities can make a good argument for it being in their community. If the process is open and transparent and if the process builds on the ideas of the communities, I think there is a solution there. Various communities have various skills.

Various communities have a different environment. Dawson City has worked hard to bring fine arts to their community. Haines Junction might be a wonderful place to develop a tourism industry and training centre. Mayo might be a great place for placer mining or underground mining or a mine training institute built around that. Those decisions are tough to make.

If I were in government, I'd want the processes to be open so that all citizens of the Yukon can see that they're made fairly and that their voices and their concerns, that their ideas and their innovations are heard. Fiscally, we cannot afford to continue to waste tax dollars on overruns.

The Yukon would stand stronger and more independent if we did not waste tax dollars so easily while relying on Canada to cover up these losses. It is becoming increasingly apparent that we depend, and continue to depend, on the federal government for much of our funding. However, the federal Conservative government and the Yukon Party have put all their eggs into quick sales of our commodities, exporting commodities at low cost, all the while exporting value-added opportunities.

As a territory we are following the likes of Alberta, which just set their third year of deficit spending; Ontario — now Newfoundland and B.C. — as other provinces struggle with rising and falling commodity prices. We are in a fortunate position. We have been cushioned by our transfer payments. Yet as the Premier intimated, the day of reckoning may be coming.

We must begin now to ensure that our tax dollars are spent on projects that are needed; that we have developed in a clear, transparent, open and accountable and fiscally responsible process.

As a territory, we have to make sure that the money we spend is well-spent. I'd like to quote from the Auditor General's 2013 report where he noted, and I quote: "Completion of a health care needs assessment of the communities would help the Corporation adjust services where necessary and make the best use of the facilities that have been built." "The Corporation and the Department could not provide us with documented risk analysis ... before beginning to build the hospitals." The lack of such a long-term plan with specific, measurable goals makes it difficult for the Department to track whether it is making optimal use of its resources and progressing toward its objectives. Nor does it have a risk-management plan."

From a 2008 audit of Highways and Public Works: many of the transportation infrastructure and building projects we

planned to formerly identify each risk that could impede its achievement of formally identify each risk that could impede its achievement of objectives — for example, demographic change and the impact of land claims settlement.

How many people decide to rebuild their house or conduct major renovations without a plan, without assessing risks and budgeting accordingly? How many people can go to the bank with repeated design changes, change orders, and central heating system changes that flip back and forth? I would hazard that the answer is not many. Why is it all right for our governments to do this to our citizens and with their tax dollars?

I'd like to stress the need to involve Yukon citizens in the planning of projects. It is their ingenuity, their insights and understanding of local and territorial needs, their compassion and understanding of their neighbours and neighbouring communities that will make Yukon a strong place, that will ensure the viability of our capital projects. What is important is transparency and openness and accessibility. Good government has been promised; now is the time to make it happen.

The NDP and I would like to move forward toward a better way of doing things, toward good governance. We need evidence-based decisions that are based on demonstrated needs in the most appropriate and cost-effective way. The most appropriate and cost-effective way to make that happen is to increase the legislative oversight of capital project spending, with the goal of ensuring that projects are indeed open, transparent, fiscally responsible, fair and equitable to all Yukoners.

Speaker: If the member now speaks, she will close debate. Is there any other member who wishes to be heard?

The Leader of the Official Opposition on the motion, as amended.

Ms. Hanson: Well, on speaking to the motion as amended, it has been a fascinating afternoon, to say the very least. As I said when speaking to the amendment to the motion, it is a disappointment — more than a disappointment — to see yet again an attempt from this side of the House to work in cooperation and collaboration with the members opposite, not only being dismissed but effectively being trashed.

What we see here is, yet again, an example of what we were trying to avoid. What I had said when speaking to the original motion is that there has been a real concern — not just expressed by the elected members of this Legislature in the opposition but by members of the public — that instead of getting honest responses and straight answers to issues that matter deeply to Yukon citizens, they get spin.

I should probably not be terribly surprised at this. We saw the same thing happen when the Official Opposition put forward a motion last winter. In that motion, we were calling for an open and public consultation. We use that word advisedly because we know the meaning of “consultation” has legal import. It is a strong word. What we got in response, in an amendment to that motion, was a deliberate narrowing so that the process could be manipulated for political gain, and that was very unfortunate.

Then we saw today a similar thing — instead of actually facing the fact that, as Members of the Legislative Assembly, we have an obligation to all Yukon citizens, as stewards of the resources of this territory and stewards of the financial resources of this territory, instead of facing that, and talking about ways we could together achieve some, if not all, of the expectations that Yukon citizens have for us by finding ways to provide increased legislative oversight for one aspect of the work that we do and — we were talking about capital projects pending — to ensure that the public is getting value for the money that they entrust in us as members of this Legislative Assembly. It shouldn't be necessary to remind government that it's not their money to spend; it's not their personal little pot of gold. This belongs to all Yukoners, and they need to be assured that when the money is spent, it is spent with due diligence and due regard to the outcomes.

Now I know that it has been difficult for certain members of the opposition — they found it actually quite amusing all afternoon. It has been amusing to watch them being amused, but the reality is this is a very serious topic. What we proposed was that we would work together, that we'd provide legislative oversight based on principles. We did not, as the member of the Third Party suggested, presume that we would dictate how this legislative oversight could occur. I gave numerous examples in my comments this afternoon of what approaches have been taken elsewhere. As my colleagues have pointed out, we assume that members of this Legislative Assembly are intelligent beings. Sometimes I wonder if that is a good assumption, but in fact that is a premise that we have to have to go forward. I see a reaction from the members opposite.

It's difficult to continue to believe — as I've said twice before this afternoon — that each one of us came to office with the belief that we're supposed to be elected to serve all Yukon people — that we did it in a notion of public service. So I will admit that my frustration does occasionally come out in how I express myself when I see repeated rejections of every overture made by this opposition party to work with government. It is frustrating. I cannot deny that. It is frustrating to see a government that puts its head deep down into the sand and refuses to see what's going on or acknowledge it. This is not good for democracy. It's not good for the effective and efficient operation of this Legislative Assembly.

We've seen demonstrations of people feeling frustrated or demonstrating their frustration outside this Legislative Assembly, and I can tell you there are times when I feel exactly the same thing. We know that the government needs to be involved and that the government —

Speaker: Order please. The hour being 5:30 p.m., this House stands adjourned until 1:00 p.m. tomorrow.

Debate on Motion No. 368, as amended, accordingly adjourned

The House adjourned at 5:30 p.m.

The following Sessional Papers were tabled March 27, 2013:

33-1-74

Yukon College Audited Financial Statements (dated December 8, 2012) prepared by the Office of the Auditor General of Canada (Kent)

33-1-75

Yukon Judicial Council Annual Report for 2012 (Nixon)

33-1-76

Appointments to Major Government Boards and Committees, Standing Committee on: Fifth Report (dated January 8, 2013) (Hassard)

The following document was filed March 27, 2013:

33-1-43

Fish and Wildlife Work Plan, Community-based; Vuntut Gwitchin Traditional Territory 2013-2018 (Dixon)