

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, April 29, 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 now proceed with the Order Paper. Tributes.

**TRIBUTES**

**In recognition of Commander Chris Hadfield conversation with Grey Mountain Primary School students and staff**

**Hon. Mr. Kent:** I rise in the House today to pay tribute to the students and staff of Grey Mountain Primary School on the occasion of their conversation with Commander Chris Hadfield on the International Space Station that occurred on April 20, here in Whitehorse.

Grey Mountain Primary School and the Yukon Amateur Radio Association crossed a new frontier when they made the first ever Yukon contact at 11:47 a.m. with the International Space Station and Commander Chris Hadfield.

Thanks, of course, go out to a number of individuals, but also to Claudio, who provided the final link from northern Italy. The event was part of the Amateur Radio on the International Space Station program, in partnership with the Canadian Space Agency. I would like to commend the Yukon Amateur Radio Association, specifically the vice-president, Ron McFadyen, for approaching our schools with the idea, helping the students practise their radio skills before the event, and, of course, for operating the radio and making the connection to the space station.

Another big thank you goes out to teacher Keir Hyde for seizing this opportunity for his grade 3 class and for organizing such a fantastic event. I would also like to extend a job well done to Mr. Hyde's grade 3 class, who were the fortunate ones who were able to ask Commander Hadfield some of the questions. I'm just going to list those 13 students by name: Thomas, Trinity, Ella, Leandra, Manraj, Samantha, Alan, Cadence, Heather, Olivia, Jennifer, Hayden, and Alexander. They asked some great questions. I was fortunate enough to attend the event that day. The very first question asked was, "How big is the space station and do you have room to dance?" Commander Hadfield's reply was, "It's about the size of five hockey rinks — it's huge. It's big enough that you can see it from Earth." He followed with, "There is room to dance," but he doesn't have anyone up there to dance with.

Another student asked how Hadfield gets outside for space walks without wasting all the station's oxygen. "That's a very difficult problem we had to solve," Commander Hadfield said. "We go into a room and a very powerful pump pumps out all the air and stores it in an oxygen tank. That way, we only lose a little when we open the door."

All of the questions were insightful and intelligent, and we all learned something new from the answers provided by Commander Hadfield. For instance, he cannot see the Great Wall of China from space; however, he can see the Trans Canada Highway. Even though only one class had the opportunity to ask questions, I'd like to congratulate the whole school for celebrating this event. Staff and students took up the space theme, incorporating space-themed art, writing assignments, math problems and many other projects into their regular learning outcomes. Before signing off, Commander Hadfield shared that he had dreamed of being an astronaut since he was nine years old. I hope that all the students at Grey Mountain Primary School were inspired to follow their own dreams, whether to become an astronaut or any other career they find exciting.

The project undertaken by these students, the school staff and the school community exemplifies what it means to be lifelong learners. Through curiosity and cooperation, they had a once-in-a-lifetime learning experience.

I ask the other members of the House to join me in welcoming the entire population of Grey Mountain Primary School. The principal, Gloria Coxford, is here, as well as Keir Hyde, the teacher who was responsible for it, and all the other staff and students from Grey Mountain Primary School.

Please join me in welcoming them.

*Applause*

**Hon. Mr. Kent:** Also joining us, of course, is Ron McFadyen, vice-president of the Yukon Amateur Radio Association, who made this all possible.

*Applause*

**Speaker:** Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Kent:** Mr. Speaker, it gives me great pleasure today to welcome to the gallery one of our nominees. His name is Venkatesh Bhakthavatsalu. He has joined us here today.

*Applause*

**Hon. Mr. Kent:** I also ask members of the House to join me in welcoming Delaney Barton, a long-time school teacher here in the territory and actually the first head teacher at Grey Mountain Primary School, when it was still an annex of Selkirk Elementary School.

*Applause*

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motion?

**NOTICES OF MOTION**

**Ms. McLeod:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to support the governments of Nunavut and Canada in opposing the European Union's ban on seal products.

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

THAT this House urges the Government of Yukon to support training for trappers by:

- (1) supporting the development of community-based trapper training instructors;
- (2) providing increased flexibility of the trapper training courses to facilitate attendance;
- (3) providing a process for experienced and trained trappers to challenge the Yukon trapping course.

**Ms. Hanson:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to convene a meeting of the Yukon Forum in order to comply with the *Cooperation in Governance Act*.

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

THAT this House urges the Government of Yukon to make a public statement explaining the departure of the principal from Eliza Van Bibber School.

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

## QUESTION PERIOD

### Question re: Oil-fired appliance safety

**Ms. Hanson:** The government announced this morning that we will be debating Bill No. 57 after Question Period. Bill No. 57 is the bill dealing with the oil-fired appliances and forms the government's legislative response to the preventable deaths of Bradley Rusk, Valerie Rusk, Gabriel Rusk, Rebekah Rusk and Donald McNamee from carbon monoxide poisoning. It is also the government's response to the recommendations of the working group it formed and the coroner's inquest held in response to the five deaths.

The question I have is this: Why does Bill No. 57 leave out important recommendations of both the coroner's jury and the working group?

**Hon. Ms. Taylor:** The Yukon government is indeed working to enhance public safety related to heating systems when it comes to oil-fired appliances throughout the territory.

As the member opposite just alluded to, we are moving on a number of key recommendations that have been outlined by the working group, based on significant consultations the minister responsible for Yukon Housing Corporation and I, along with other MLAs from the Assembly, undertook last fall.

We are moving forward with legislation that will enhance the safety of these appliances and will enhance the safety of our homes.

**Ms. Hanson:** The Oil-Fired Appliance Working Group recommended government create an act specific to oil-

fired appliances, in which only a qualified oil-burner mechanic would get a licence to install, modify, service or authorize the installation, modification or service of an oil-fired appliance.

The coroner's jury recommended that government adopt all the recommendations of the working group, as well as implement the five studies made by Rod Corea. Bill No. 57 will allow the status quo to be maintained. Modifications, servicing, maintenance work can all be conducted by unqualified, uncertified persons.

Anyone who sat through any portion of the Rusk/McNamee inquest is haunted by the fact that this was not a new installation; it was old; it was modified, and it failed. Why does Bill No. 57 not require a qualified oil-burner mechanic to modify or service an oil-fired furnace?

**Hon. Ms. Taylor:** As I mentioned earlier, Bill No. 57 indeed does provide provisions that enable the Yukon government to require that only qualified oil burner mechanics apply for and hold permits to install and modify oil-burning appliances in the territory. It also makes carbon monoxide detectors and smoke alarms mandatory in all residences using fuel-burning appliances or having an attached garage, making the Yukon the very first jurisdiction in the country to do so.

We are working toward adhering to those key recommendations as outlined by the working group. We are also working to adhere to the comments that we heard in every single Yukon community as we undertook consultations throughout the territory on this very important issue. Enhancing the safety of our homes is a shared responsibility, and it is something that this Yukon government is working toward as we deliver Bill No. 57 and as we go forward in debate.

**Ms. Hanson:** The reference in the legislation is to installation of new furnaces. In November 2007, in a report *Recommendations to Improve the Safety and Efficiency of Oil-burning Equipment Installation and Maintenance in the Yukon*, Rod Corea stated: "...the general state of oil-burning equipment installations in the Yukon is poor. The potential for an incident causing harm to humans or property is high."

In March 2010, Rod Corea's last words in a video delivered to industry and government were, "Hopefully you will take action to improve the state of the oil-fired appliance industry in Yukon in very short order before something unfortunate happens."

Something very unfortunate did happen. There are some improvements contained in Bill No. 57, but by not requiring that only licensed oil burner mechanics do the installation, modifications and servicing, in its current form this is inadequate.

Is the government prepared to entertain amendments to correct this error and improve safety when it comes to oil-fired

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

**Hon. Ms. Taylor:** Again, Mr. Speaker, based on the very valuable input that we received last fall during our community consultations and the working group report that contained a number of key recommendations, the Yukon government is taking action, and we have delivered a bill — Bill No.

57 — which is addressing a number of those key recommendations, primarily requiring that only qualified oil burner mechanics may apply for and hold permits to install or modify oil burning appliances. We are also proceeding with provisions in the legislation that makes Yukon the very first jurisdiction in the country to make mandatory carbon monoxide detectors and smoke alarms in all residences. That is a significant change and will help save many lives as we go forward.

Further to this, we are also increasing the number of certified oil burner mechanics throughout the Yukon by making training readily available. We're also proceeding on awareness campaigns by way of the Yukon Housing Corporation, the Yukon Fire Marshal's Office, working in collaboration with the Department of Education as was recommended. We're also proceeding with increased training for our building inspectors and developing associated regulations.

**Question re: School principal dismissal procedures**

**Mr. Tredger:** Mr. Speaker, under the *Education Act*, the minister has a great many powers and is ultimately responsible for the provision of education, the running of schools and decisions that are made in the best interests of employees, students and the school community.

I would like the minister to outline the processes and procedures that are followed when it comes to removing principals. What procedures does the department follow when investigating allegations regarding principals that arise from time to time in our schools?

**Hon. Mr. Kent:** Mr. Speaker, I think that all members of this House know that as ministers, we don't have responsibility for personnel issues, and we don't comment on personnel issues when it comes to specific incidents. I know the member opposite is referring to a specific incident, and I am not prepared to comment on it on the floor of the Legislature.

**Mr. Tredger:** I am not asking the minister to respond to a particular personnel matter, but rather describe the process that is followed. I have taught in rural Yukon and there are challenges. Retention of staff and continuity is critical to building a strong community school. Consistency and relationship-building are important in our schools. I am interested in knowing the steps and policies that the department follows to build relationships to solve potential problems and to de-escalate arising situations. What tools, mediations, dispute resolution, et cetera, does the department employ when problems between students, the school council or members of the larger school community and staff are first identified?

**Hon. Mr. Kent:** As I mentioned, this is a personnel issue and I will not comment on it any further. With respect to the process that's adhered to, that's done by the officials in the department and it's not the responsibility of me as minister, nor is it the responsibility of other ministers of the Crown to deal with personnel issues.

**Mr. Tredger:** This matter is not to be taken lightly. The recent removal of the principal of Eliza Van Bibber School is a major disruption to the students, the community of Pelly Crossing, the staff and the parents.

When issues began arising at Vanier school earlier this year, the department and the minister agreed to work with the school, the staff, the parents and students to attempt to mediate the issue. In Pelly Crossing, the principal was removed over spring break and the community was told that he took a new job, which is an interesting interpretation of what happened.

As elder Jean Van Bibber said, "There was no warning, no consultation and no explanation." Confidence in government leadership has been shaken. How will the minister work with the Eliza Van Bibber School community to restore confidence in his decision-making process and in his leadership?

**Hon. Mr. Kent:** With respect to this specific issue, it is a personnel issue and I won't comment on it further. Moving forward, I find the question from the member opposite somewhat perplexing. I met with him following Question Period last Monday. We spoke about engaging the First Nation and how to deal with this situation. I was in contact with the chief's office last week and was able to speak to Chief McGinty this morning, developing a plan forward. I'm looking forward to traveling to Pelly Crossing in May to sit down with the chief and council and begin the work on a protocol that will exist between our two governments so we can ensure the students in the Eliza Van Bibber School have access to the most success possible.

Again, one of the other things that's going on, on a go-forward basis, is the school council, as always, will be involved in the selection of a new principal. Yukon Education staff, the Yukon Teachers Association, school council and Selkirk First Nation are working together to develop a school support plan that will help meet that goal.

I spoke to the member opposite about this issue last Monday and now he raises it on the floor of the Legislature today, which I find perplexing and disappointing.

**Question re: Kluane tourism promotion**

**Mr. Silver:** Last week, I asked questions about plans Holland America has for the Kluane region. The government said it preferred to wait until there was a formal announcement by the business before commenting. That formal announcement happened on Friday with Holland America confirming they intend to close their hotel in Beaver Creek.

The company also plans to cut bus tours altogether that go through the Kluane region beginning next summer. The announcement is very bad news, particularly for the communities of Haines Junction and Beaver Creek, because Holland America is one of the biggest tourism operators in the area. When was the government informed of these changes by Holland America?

**Hon. Mr. Nixon:** The Government of Yukon recognizes that changing business patterns and operations can present challenges but they can also present some opportunities for a number of our communities.

Within the Department of Tourism and Culture, we have worked hard to ensure that businesses have that opportunity to reach new markets and to grow their customer base.

Mr. Speaker, with extensive global marketing efforts that highlight Yukon's vacation opportunities, we are pleased to see continued growth in Yukon's visitor numbers. We are very

pleased with our relationship and moving forward with companies like Holland America.

**Mr. Silver:** Mr. Speaker, the economic impact here should not be underestimated. It will be millions of dollars coming out of the north Alaska Highway economy. In making their announcement, Holland America said the reason behind the decision is their customers told them they were more interested in longer stays at specific sites like Dawson City. It is very good news for our community and businesses in Dawson City, but this unfortunately can't be said about the communities along the north Alaska Highway. This is going to mean fewer visitors to the new cultural centre in Haines Junction, for example. Other businesses will feel the same effect as well.

I am wondering what steps the government is trying to take to offset the loss of this major tourism player in the Kluane region.

**Hon. Mr. Nixon:** As I mentioned in my first statement, changing business patterns presents both opportunities and challenges with the private sector company. I can't stand on the floor and speak for Holland America and why they make their business changes, but we can speak to the history with tourism here in the territory. For example, there was a four-percent increase in the number of visitors to Yukon in 2012. Four percent — that's compared to 2011, and also a two-percent increase in foreign visitation.

The Yukon government will continue its efforts to ensure that the private sector can grow and prosper, and we look forward to continued development of our tourism-based business here in the territory.

**Mr. Silver:** I know that the Member for Kluane understands the impact of this decision. I know that the people who own businesses up and down the north Alaska Highway understand the impact as well. It certainly will mean fewer visits to the Kluane region. In light of this announcement, the Government of Yukon must act to try and cushion this blow.

The government could start by meeting with tourism operators in the area to hear from them directly. The government could also commit to additional marketing or infrastructure dollars for the Kluane region in this fall's budget update to help offset some of these impacts.

I know there was an agreement with Westmark for \$50,000 already made. The government could also design a new marketing campaign that puts more focus on the Kluane region. These are some options. There are other options available. Will the government act on any of these suggestions?

**Hon. Mr. Nixon:** This government is always working with operators in all areas of the tourism economy to offer assistance. One area within the Department of Tourism and Culture is the industry services unit, which provides business counselling and so on, so there are options for private sector businesses to reach out to the Department of Tourism and Culture for that assistance. Yukon's tourism sector continues to be a solid and steady contributor to Yukon's economy, generating revenues for Yukon businesses of approximately \$200 million annually. 2012 was a very good year for tourism in the territory with, as I mentioned, a four-percent increase in visitation compared to 2011 and outperforming the national average for visi-

tation of one or more nights by non-residents. We are very confident in the tourism economy in Yukon as we move forward, and I thank the member for his question.

#### **Question re: Veterans' disability pensions**

**Ms. White:** I would like to return to an issue I have raised several times in this House. Veterans' disability pensions are meant to compensate for injuries sustained while on duty and to help veterans meet their daily expenses in the often extraordinary costs associated with their injuries.

On November 8, 2012, the last sitting day before Remembrance Day, I pointed out for the purposes of determining eligibility for various programs that the Government of Yukon considers veterans' disability pensions as income. Mr. Speaker, denied or reduced services from the government amount to a veterans' disability pension clawback. Will the Premier reconsider this position and not claw back veterans' disability pensions when the government assesses veterans' applications to social programs?

**Hon. Mr. Pasloski:** This government continues to support all people who are in need in this territory, including disabled veterans who are among us. We also have done such things as recognizing them with the dedication of the Alaska Highway. But the bottom line, Mr. Speaker, is that all people who are in need as described by a means test are supported in this territory. There is nobody who goes without, if in fact they are in need.

**Ms. White:** In a letter dated February 18, 2013 that I received from the Premier, he said, and I quote: "Exempting veterans' pensions from a means test is contrary to the purpose of the programs. Further, it would be unfair to other Yukoners receiving disability compensation, whose income would not be exempt. ... Means-tested programs are not intended to recognize contributions that our veterans have made to our country. We believe it is more appropriate to recognize and honour the contributions of our veterans by other means, such as the veterans' license plate and dedication, last November, of the Yukon portion of the Alaska Highway to our veterans."

License plates and a highway are an important symbol, but they don't improve a veteran's quality of life. We are talking about people who fought for our country, our freedoms and our rights. Some of our veterans live at or below the poverty line. Does the Premier really feel that this is fair and appropriate?

**Hon. Mr. Pasloski:** I think I answered the question already. In fact, we do honour and will continue to honour the work of those people who have put their lives on the line for us, as being members of the military, but I think, as I have articulated in the letter that she has described, there are many people who have done the same and I think that we certainly also have to continue to recognize the accomplishments and the achievements that many people, many pioneers who live with us who have done many types of trades and occupations and professions over the years who have done good work.

The reality is that, as described in the letter, this territory ensures that we do look after all people who are in need. There is a test that's there, a means test, that helps to determine when people need support. This government will continue to support

those people, including those veterans who may fall into that category.

**Question re: Dawson City health facility**

**Ms. Stick:** A year ago the Minister of Health and Social Services told Yukoners that his department had reached a decision with Yukon Hospital Corporation regarding the model of care for Dawson. The minister said, and I quote: "...it will be an acute care hospital." Last week the minister shifted his language and indicated the Dawson hospital or health facility would have both acute care and collaborative care.

This government is in the midst of changing direction, planning on the fly. Last Friday while talking about the nurse practitioner implementation plan, the minister acknowledged that, and I quote: "Each nurse practitioner that we hire will be a budgetary problem for us because we didn't budget for them."

How will the minister be implementing both collaborative and acute care in Dawson when he has not even budgeted for nurse practitioners to work there?

**Hon. Mr. Graham:** I have answered this question, I believe, a number of times, and I'm fairly consistent with that answer. The building in Dawson City was never intended to be solely an acute care hospital. There is an acute care part of the hospital that will be used for trauma and for acute care; however, there is a great deal of the building that will be used as a community health centre, and there will be a number of different community health programs operated out of that building. I believe there is room for a number of different health services to be offered out of that building. So we're being completely consistent.

As for the fact that we would hope to see some kind of collaborative care clinic in the health facility — I don't think I made a commitment that said it will definitely be offered, as the member opposite will remember. I also said that we will be doing an assessment in the Dawson City area in the very near future.

**Ms. Stick:** The minister has said the establishment of collaborative care clinics has been negotiated into the department's \$1.6-million agreement with the Yukon Medical Association. He also says they are looking at changing the *Pharmacists Act*. We welcome the new direction in which government is turning, but Yukoners have little confidence in the government's health planning. Health care providers have documented past success with team and community-based care. We should learn from Yukon-based expertise and experience. Needless to say, the planning for collaboration should be collaborative. Will the minister be including both the Yukon Registered Nurses Association and the Pharmacists Association of the Yukon in planning the establishment of collaborative care in Yukon?

**Hon. Mr. Graham:** Not only will we include them, but we've already had discussions in that area. I'm meeting with the pharmacists, I believe, in a week and a half from today to discuss ongoing changes to the *Pharmacists Act* in the territory, but we also meet with the Yukon Registered Nurses Association. We met with the nurses association a number of times during the implementation and the lead-up to the nurse practitioner legislation, so this isn't something that we do only

on an individual basis now and then. We attempt to meet with any medical professionals in the territory on an ongoing basis, because it's part of our idea of collaborating with these groups.

**Ms. Stick:** This is a question about successful implementation of an effective model of care. Really, the most important place to start is with the community and the patients who live there: the owner/operators of the system. In its February report on the hospital's management of capital projects, the Auditor General recommended, "The Yukon Hospital Corporation, in collaboration with the Department of Health and Social Services, should conduct a health care needs assessment in the communities of Watson Lake and Dawson City ... to ensure that the services delivered in the hospitals are designed to meet the communities' needs in the most cost-effective way possible." Both the Hospital Corporation and the minister responsible agreed with this recommendation. To be clear: When will there be a comprehensive assessment of Dawson's health care needs, and who will be conducting it?

**Hon. Mr. Graham:** This question sounds all too familiar, because I've already said we will be doing an assessment of the needs of the people in Dawson City in the very near future. We haven't selected anyone to do that needs assessment at this time, but we will be going forward with that assessment once we discuss it with both the Hospital Corporation and the nursing staff or our Health and Social Services staff in the municipality of Dawson City. Once those conversations are complete, we will be ready to go ahead with the needs assessment.

**Question re: Alaska Highway corridor functional plan**

**Ms. Moorcroft:** The Minister of Highways and Public Works knows that there are many safety concerns about the Alaska Highway corridor between the Carcross Road and the Mayo Road. This stretch of highway through Whitehorse is the heaviest used section of the Alaska Highway. An updated Alaska Highway corridor functional plan would examine traffic flows, accesses, safety issues and potential highway improvements.

The minister has said his department is working with the City of Whitehorse on a plan, but he has been short on details about exactly what planning work is underway.

Can the minister tell us how Highways and Public Works is working with the City of Whitehorse and what his government officials are doing to update the Alaska Highway corridor functional plan?

**Hon. Mr. Istchenko:** I thank the member opposite for the question. I want to speak a little bit about the great economy of the Yukon which has brought to the table the fact that there is a lot of traffic — the "functional corridor" the member spoke about.

The department has a set of Transportation Canada standards that we utilize for everything. We discussed access to the old race track, which was brought to my attention through a letter she sent to me. We got back to the member opposite, stating that it wasn't safe and we were looking at solutions. What we have to do is look at what the TAC standards are. We're doing that right now through this functional study, working

with the City of Whitehorse, and then we're looking at what vision goes forward. There will be a lot of consultation. There are a lot of people who live along that highway. They're probably not going to want trees cut down and things developed. I'll probably expect to see a letter from her, as soon as we decide to do something, saying that somebody is not happy.

**Ms. Moorcroft:** That answer was a little vague. I have to remind the minister that 75 percent of the Yukon population lives in and around Whitehorse and the highway has changed with increased residential density, new accesses and street lights at major intersections.

The 33-kilometre stretch of the Alaska Highway through Whitehorse is the commercial and industrial hub of the territory. In June 2012, the minister said a public consultation exercise would be part of the updated Alaska Highway corridor functional plan and, at the time, he expected it for the fall of 2012. Then the minister said the timelines had been extended into 2013. Then, on April 17, the minister said he would table the plan in the House when it's finalized.

Will the minister provide an opportunity for public input before he tables the updated Alaska Highway corridor functional plan in the House?

**Hon. Mr. Istchenko:** The member is absolutely right — we do have to look at this, and what we're doing with this right now is looking at what standard we need to bring it to. Any new development that happens is brought to the proper TAC standard. MacKenzie RV Park — he had to pay for a lane leaving off. So we're looking at everything, and when we look at what the standard has to be and look at all the different accesses, then we'll be going out to the public for consultation to let them know this is the standard we'd like to bring it to, and that's when we'll get a lot more input and will have to look at what we can do.

The increase in traffic — absolutely. A good economy — thank the Yukon Party for that.

**Ms. Moorcroft:** The minister said he is looking at whether they'll bring it to a standard. He hasn't said how the department would bring it to the standard. He hasn't told us what's going to be involved in his plan. It's all very well to encourage public input, but I would like to ask the minister to make a clear commitment and tell us today in the House exactly when and how the government will allow for the public to make comment on the updated Alaska Highway corridor functional plan. We need the minister to give us more information about the work his department is doing and plans to do.

How does the department plan to allow residents, as well as commercial and industrial users, to inform Highways and Public Works about their safety concerns and to make their suggestions for highway improvements?

**Hon. Mr. Istchenko:** I would really like to put a thank you out to our employees who do make the road, existing as it is, as safe as possible. They work very hard — this department works very hard. When it snows, they're out there getting rid of the snow, and they sand it when it's icy. We'll be doing the same thing that we're doing with the member opposite from Lake Laberge — we're upgrading the Takhini Road. Community consultation — there will be public meetings ad-

vertised, we'll be out there asking residents for their input. Once the functional plan is out there, members opposite will get to have a look at it, and they'll be able to comment on it. Everybody will get to comment on it. We just want to do the right thing for Yukoners. With the increased traffic we have, we've realized that we need to look for upgrades. It happens all the time. I don't know if the member opposite looks at some old black and white photographs of the Alaska Highway when it was a one-lane gravel path. As people come, we have to develop, and we have to grow bigger and make things safe. Things are safe now and we're looking to make things safer.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 57: *Oil-Fired Appliance Safety Statutory Amendment Act* — Second Reading**

**Clerk:** Second reading, Bill No. 57, standing in the name of the Hon. Ms. Taylor.

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

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

**Hon. Ms. Taylor:** Mr. Speaker, I am pleased to introduce Bill No. 57, which proposes amendments to the *Building Standards Act*, *Electrical Protection Act* and the *Fire Prevention Act*.

Over the past several months, Yukon government has been working on legislation and regulatory changes designed to increase safety levels related to the use of oil-fired appliances. These changes respond to key recommendations from the recent coroner's inquest, the Oil-Fired Appliance Working Group, and recommendations and comments gathered at meetings held throughout the territory last fall. These changes will address a variety of areas and will make Yukon the first jurisdiction in the country to mandate the installation of carbon monoxide detectors in all homes with fuel-burning appliances and/or attached garages.

The bill is the first step in a two-part process to change Yukon laws regarding oil-fired appliance safety. This bill will provide the necessary broad sources of authority, specifically regulation-making powers needed to enable these specific actions.

The second step in the process will be to develop accompanying regulations which that have these specific legal requirements. This suite of legislative changes will enable us to bring into law our commitments to Yukoners prior to the next home heating season later on this winter.

Provisions of the bill before the Assembly will enable regulations that will only allow fully qualified oil burner me-

chanics to apply for and hold the permit to install or modify oil-fired appliances.

This will mean that only oil burner mechanics who have met the professional qualifications for this trade will be allowed to install or modify these appliances. This is the same type of requirement that is currently found in the law governing gas-burning appliances, which states that only qualified gas fitters are allowed to install gas-burning appliances.

Regulations will set the trade qualifications for oil burner mechanics and will create a public register of qualified oil burner mechanics who may apply for the permit to install or modify these specific devices.

Under this bill, contractors who do not correct an installation or modification that fails to comply with the Canadian Standards Association's installation requirements for oil-fired appliances may not be eligible for further installation permits. While we believe there will be little need for this measure, due to the good work of our contracting community, it is another mechanism to help to ensure compliance.

As I referenced earlier today, Yukon will be the first jurisdiction in the country to require carbon monoxide detectors in all residences, including rental units, with fuel-burning appliances or an attached garage. This major safety change will be accomplished through the proposed amendments to the *Fire Prevention Act*.

Specifically, the bill enabled regulations to be made that will require the installation of carbon monoxide detectors in homes and other residences with a propane range, an oil-fired furnace, a woodstove or other such appliances that burn fuel to produce heat or have an attached garage and are a source of carbon monoxide as a by-product.

As quoted from John Gignac of the Hawkins-Gignac Foundation for CO Education, "Smoke alarms and carbon monoxide detectors are inexpensive peace of mind for families."

A properly installed and functioning carbon monoxide detector is simply the only way to be alerted to a gas that is odorless, tasteless and colourless and therefore a serious threat to human health in our homes. These devices are reasonably priced and, in most cases, are relatively easy to install for all of us.

Likewise, the amendments will also enable regulations to be made, which will require the installation of smoke alarms in all homes. Yukon will not be the first in Canada to require that, but Yukon will stand with those few jurisdictions that have taken this step. The importance of using these early warning devices cannot be overstated. These particular changes are the most effective means to encourage all homeowners, including landlords, to act to install these devices. We're also introducing act authority to make regulations for the installation of these devices as part of the permitting of interior building or electrical renovations. A condition may be added to these permits that requires the installation of smoke alarms or carbon monoxide detectors. If a contractor pulls a permit to upgrade electrical wiring in a home that lacks a smoke alarm or carbon monoxide detector, the permit will not be considered complete and ap-

proved until the smoke alarm and carbon monoxide detectors are also installed.

Other provisions of this bill clarify specifics around the timing of Yukon's adoption of the National Building Code of Canada, the Canadian Electrical Code and the National Fire Code of Canada in order to keep pace with changes and enable transition periods for industry.

For example, the bill proposes a transition period of at least six months for the adoption of any new or revised National Building Code of Canada and Canadian Electrical Code to enable industry to prepare for new building requirements. This will help industry to plan in advance for new materials and methods of construction.

The timing changes for the building and electrical codes will be made in their respective acts, but the equivalent change for the National Fire Code of Canada will be made in regulations under the *Fire Prevention Act*. Offences and penalties in the *Fire Prevention Act* are also being modernized. Instead of a maximum fine of \$200 for a violation of the act, which is what we would consider a relic of a much earlier time, the new maximum will be \$10,000. The new maximum fine will be the same as its equivalent under the City of Whitehorse's emergency services bylaw.

The City of Whitehorse favours the proposed changes and we look forward to working with their government to ensure the implementation of these important changes to protect the health and safety of all Yukoners.

In summary, the suite of changes under this bill related to oil-fired appliances will strengthen permitting for installation and modification of oil-fired appliances, specify appropriate qualifications for oil burner mechanics, help to strengthen public safety by requiring the installation of early warning safety devices in all residences and provide clarity around adoption of the National Building Code, the Canadian Electrical Code and the National Fire Code of Canada.

In addition to the legislative amendments before us today, a number of actions are also being undertaken, including the following: awareness campaigns by the Yukon Fire Marshal's Office and Yukon Housing Corporation, promoting the very importance of maintenance and proper installation of home heating systems and the necessity of early warning systems such as carbon monoxide detectors; the development of a checklist by Yukon Housing Corporation, which is providing information on the proper installation, modification and servicing of oil-fired appliances; efforts by the Department of Education in cooperation with other partners to increase the number of certified oil burner mechanics throughout the territory — something we heard that is very much needed in the territory; education programs for community-based business people who work on home heating systems, particularly in rural communities, so that they can stay current on industry standards and technology.

As I mentioned earlier today, it also includes increased training for building inspectors. These actions also contain the development of legislation and associated regulations as I have just alluded to and outlined for members opposite.

These combined actions will further improve public safety related to the use of oil-fired appliances in the territory, recognizing that these steps are only part of the solution. Ensuring our homes are safe requires the diligence of all Yukoners to become informed, ensure homes are equipped with proper safety equipment, get regular inspections and ensure proper permits are obtained when installing or modifying this equipment are responsibilities we all share.

Mr. Speaker, actions must continue to be taken by all of us, whether individuals, businesses, industry, homeowners, landlords and governments. We are certainly doing our part toward this end.

We look forward to receiving the support of the Legislature for these important amendments, and we very much remain committed to developing the accompanying regulations to allow these changes to come into effect before the next heating season in the territory.

In closing, I would like to thank the officials for their work, specific to the Department of Community Services. I'd like to thank the members of the working group who produced the oil-fired appliance report and the many members of the public who have contributed their time and efforts over the past year in providing significant and invaluable feedback that has helped shaped the legislation before us.

**Ms. Moorcroft:** On January 27, 2012, Bradley Rusk, Valerie Rusk, Gabriel Rusk, Rebekah Rusk, and Donald McNamee died of carbon monoxide poisoning in the home they were renting at 1606 Centennial Street in Porter Creek, Whitehorse. It is these deaths — this terrible preventable tragedy — that is the reason we are now debating Bill No. 57. Had the Rusks and Mr. McNamee been living today, and there was no impetus for the government to act and no working group formed and coroner's inquest into the deaths, we might not be debating this change in the law.

I say this because the Yukon Party government had known about serious problems with oil-fired appliances that heat the bulk of Yukon residences going back to 2007 and did nothing beyond a few rule changes. I want to go through the history and the timeline of how we got to this point: to being here in the Legislative Assembly and debating Bill No. 57. It is important to know our history in order not to repeat it. It is important to know our history and to know what happened and why it happened because as legislators we are tasked with, among other things, writing laws that are fair and reasonable, laws that improve our society and laws that respond to pressing matters of public interest.

In 2007, Yukon Housing Corporation hired Rod Corea, an industry specialist, to survey the state of oil-fired heating appliances in the territory, which heat the bulk of residential buildings throughout the Yukon. He produced five reports, which detailed the woeful state of oil-fired heating systems in the Yukon. He warned the Yukon government that action needed to be taken to prevent a tragedy. In November 2007, in a report *Recommendations to Improve the Safety and Efficiency of Oil-burning Equipment Installation and Maintenance in the Yukon*, Rod Corea stated: "... the general state of oil-burning equip-

ment installations in Yukon is poor. The potential for an incident causing harm to humans or property is high."

In March 2010, Rod Corea's final words in a video that was distributed to Yukon government were: "Hopefully, you will take action to improve the state of the oil-fired appliance industry in Yukon in very short order before something unfortunate happens." These words were not heeded.

I want to make some quotes from the fifth inspection report that Mr. Corea issued in March 2010. He said that a total of 338 infractions were found at 77 sites that had new appliances or tanks installed and that 88 percent of those were considered significant. He said that the re-inspection of a number of previously inspected sites showed that owners and their contractors are not correcting problems or are creating more problems when corrective action is taken. The inspection of sites with new equipment shows that new installations are as poor as, or worse, than older installations. He said that all five of the surveys he had done present clear evidence that a large percentage of oil-burning equipment in the Yukon is not properly installed or maintained in accordance with the minimum standards established in the installation code for oil-burning equipment and, as we just heard, action needed to be taken as soon as possible to prevent an incident causing harm to person or property.

There were 305 sites inspected; there were 1,706 code infractions, or 5.6 per site, and 37 of those sites had imminent hazards. Voluntary compliance with reports identifying significant problems does not improve the safety of the installation. Self-regulation has failed to provide the level of safety and environmental protection that is the aim of the fuel code.

The lack of incentive, consequences and opportunity to become licensed as oil burner mechanics are important factors in regard to the general lack of knowledge of code requirements and the safety and efficiency of oil-burning equipment. This leads to the requirement of permitting for new installations or major modifications of oil-fired appliances. Permitting enables government inspectors to be aware of and inspect the new installations or major modifications, provided, of course, that the contractor or the homeowner bothered to get a permit.

There has been no action to require licensed and qualified oil burner mechanics made in time to prevent the deaths of the Rusk family and Donald McNamee. There were then initial investigations by the fire marshal and the Yukon government chief building inspector.

These amendments before us do not live up to the recommendations that came out of the second Oil-Fired Appliance Working Group that was formed in 2012. They released their report on August 28, 2012, and recommended that the government create an act specific to oil-fired appliances with the following provisions: "A licence must be obtained from the authority having jurisdiction in order to install, modify and service or authorize the installation modification or service of an oil-fired appliance" and "an individual must be a qualified oil burner mechanic journeyman."

What these amendments do is establish a provision for regulations. They do not establish a stand-alone act. Looking at the working group report, their recommendations were very



specific that the government should begin work on an act specific to oil-fired appliances.

In February of 2013, there was a coroner's inquest and there were recommendations from the jury. Among other things, the inquest jury recommended that the Oil-Fired Appliance Working Group recommendations should all be adopted and that the overall adoption and implementation of the study results and the recommendations by Rod Corea should be heeded.

Mr. Speaker, in February of this year, I attended a portion of the inquest that was held here in Whitehorse looking into the carbon monoxide deaths. Rod Corea was called as an expert to testify about the state of the oil-fired appliance industry and safety here in the Yukon. In speaking about installing an old boiler, he said that you can reuse an appliance but a certified knowledgeable installer has to inspect it. In the case of 1606 Centennial Street, the landlord testified that he was unaware of the requirement to have a building permit in effect before having a different heating appliance installed and modified.

Mr. Corea also said that, frankly, the continued increasing numbers of hazards in relation to oil-fired appliances, from 10 percent to 17 percent over the survey period of three years, predicted that there was nowhere to go but to an accident, that it had to happen. Action needed to have been taken sooner and stronger action needed to be taken. We want to see the state of oil-fired appliances in the Yukon properly fixed.

Where are we here today? We're here to look at this government's legislative response, in particular, but we have to ask: Has the overall response from the Yukon government been appropriate to reflect the gravity of the tragedy?

Since January of 2012, one year and three months after five people died in their rental home, a working group has been formed and reported. There have been advertisements in local media featuring the fire marshal. There has been the installation of carbon monoxide detectors at Yukon Housing Corporation units. The Hawkins-Gignac Foundation has provided some CO detectors to be distributed throughout the Yukon, and we have before us Bill No. 57, which brings forward amendments to the *Building Standards Act*, the *Electrical Protection Act* and the *Fire Prevention Act*.

How is the public to measure the government's response to the tragedy? Did the government do enough? It is clear they failed the people who died, and their families, by not heeding the Corea reports. Is the response post-tragedy enough? Has the government committed to correcting this problem as quickly as they can? Has it used the tools at its disposal effectively? Is it coming in with new programs, new resources, including financial programs, new rules that will work and will increase public safety? The answer is no. Though they have made some improvements, more could be done.

The government continues to treat this as a homeowners' problem. We keep hearing that the ultimate responsibility lies with the homeowner. This is a problem that needs to be addressed by government. This is a problem for anyone in a trade that touches heating fuel — the distributor, the installers, the person doing the service and repairs, and so forth. There are many outstanding questions. How will inspectors be organized?

Will it follow the *Gas Burning Devices Act*, which has been held up by industry experts, including Mr. Corea, as a template that could work for oil-fired appliances?

I will put aside the issues — the education, the resources, the ways and means for enforcing our laws, and focus on the bill itself. Bill No. 57 does make some improvements, though the general impression is that we need to stay tuned because changes to the oil heat industry may be coming through the back door, because so much of the substance of what they want to achieve will happen later, in six to 12 months, through regulations.

I would like to speak about the many good things that are in the bill — that building standards will adopt changes in the national building code in a timely manner and the requirements for CO detectors. Those CO detectors, it must be said, are not fail-safe, and testing of units in previous experiments have revealed that many do not live up to CSA standards. The CO detectors may be inexpensive peace of mind, but you can't have complete peace of mind just because there is a detector. The principle is that you don't depend on them. They're only a backup.

The maintenance and inspection of detectors requires that you regularly check the batteries and there is a serious responsibility of actually maintaining and checking for the safety of the units themselves. We applaud that the government is speaking about certification and licensing for oil burner mechanics who install oil-fired appliances, but the level of certification is not known and subject to regulations. I'm sure we'll be debating that in Committee.

It's good to see that there is the modernizing of penalties for violations in the *Fire Protection Act*. All of those are good, but there is a great omission, and we raised it in Question Period. That is found in section 2(4)(g)(ii) that amends the building standards, quote: "prescribe the requirements that an individual (in this paragraph referred to as a "qualified installer") must meet in order to be qualified to install an oil-fired appliance."

Mr. Speaker, that speaks only to "install". The government's bill may allow that modifications, services, maintenance, et cetera can be conducted by unqualified and uncertified persons.

Now, this bill does allow in that clause that "install" would be defined in the regulations, so perhaps the government does intend to include modifications and servicing in the definition. I look forward to hearing the minister's intent in this regard.

Since April 2012, three months after the preventable deaths of five Yukoners from carbon monoxide poisoning in Porter Creek, the NDP Official Opposition has been saying that the Government of Yukon should bring forward oil-burner legislation and regulations that require technical standards and the licensing and certification of tradespeople in Yukon who install and service oil-burning appliances. The working group, created by the government after the tragedy, recommended that government create an act specific to oil-fired appliances with the following provisions: a licence must be obtained in order to install, modify, service, or authorize the installation, modification or service of an oil-fired appliance; an individual must be a

qualified oil-burner mechanic journeyman; and the coroner's jury that spent a week listening to the particulars of the deaths and the testimony of the failures in permitting, inspections, and installations, among other failures, recommended that all of the recommendations of the working group be implemented.

So why is there this omission? In Question Period, the minister was asked directly why this was omitted and would the government amend its bill to correct this. We didn't hear an answer from the minister to the question, who said the government is working to adhere to all the recommendations. We want to help the government work to adhere to all the recommendations, so we will be bringing in an amendment.

There is a way forward, according to Rod Corea. Mr. Corea said that Yukon should look at the fuel oil regulation used in Ontario. He said that together with the Yukon's *Gas Burning Devices Act*, he would recommend that these two documents be examined as a template for developing an effective method of improving safety in Yukon's oil heat industry.

So let's look at Ontario. The Ontario regulation empowers certificate holders to take immediate action when an unacceptable condition is found and makes the oil distributor responsible for ensuring that they only supply oil to safe installations. Only by making everyone involved in an oil installation responsible for improving safety can the industry respond to ever-changing hazards.

No person shall install, alter, activate, repair, service or remove any appliance, unless the person is a holder of a certificate under the Ontario regulation. Distributors of fuel oil are required to be satisfied that the installation and use of the appliance is safe. Inspections are held every 10 years of appliances heating institutional, industrial or assembly buildings.

The Ontario rules go on. There is a provision regarding installation record, that the installer shall record on the appliances the date of installation and the certificate holder and number. There's a rule that no person shall operate or permit to be operated an appliance or tank system unless it is maintained in a safe operating condition and it complies with the regulation. There is an unacceptable condition, where there's an immediate hazard, that a qualified licensed person shall shut off supply, give notice and communicate with the distributor or other appropriate authority or inspector where they find an immediate hazard.

Ontario rules require anyone touching heating fuel to be licensed and qualified and to communicate down the line so there is accountability. We are not replicating Ontario's system with this bill and we may not need to replicate that system in its entirety, but we can improve the bill before us, Bill No. 57, by expanding the requirement to license those who install, modify, repair or service and, down the road perhaps, bring in changes around the distribution of heating fuel so that those who fill tanks can intervene at that critical stage.

There are issues with this bill, and we look forward to having an opportunity in Committee of the Whole to debate it more thoroughly. We have questions about making an allowance to vary standards in different parts of the Yukon. In other words, we want to know what provisions there may be regarding Whitehorse as opposed to rural communities and if there

are differences. The value of a life in rural Yukon is just as important as the value of a life in Whitehorse.

We will be asking about which oil-fired appliance rules under subsection 4 and under 5(a) apply to part or all of the Yukon or to some or all kinds or classes of buildings or of components, fixtures or systems of buildings. We'll have questions about the certification standard the government plans for the regulations.

We'd like to know why the government made the decision not to create a dedicated act and regulations and a dedicated inspector. There is a concern that the approach of amending the *Building Standards Act*, the *Fire Prevention Act* and the *Electrical Protection Act* are not as comprehensive as having a stand-alone act. We want to avoid problems in the oil heat industry getting any worse.

This is such an important piece of legislation. We will be seeking to amend it to expand licensing to include those who service, modify, repair, or alter oil-fired appliances, and I believe that we have laid out our case for that proposal. Though other changes could be proposed to make this bill stronger, we will focus on making this change. We look forward to debate in Committee of the Whole where we will be able to do this.

**Hon. Mr. Kent:** It's my pleasure to rise at second reading of this bill to speak on behalf of the Yukon Housing Corporation primarily, as well as the Department of Education which will be playing key roles on a go-forward basis in implementing many of the recommendations that we've heard, not only from the coroner's inquest into the Rusk family and Mr. McNamee fatalities, but also the work of the Oil Fired Appliance Working Group, which was jointly established by the Minister of Community Services and me to come up with that report and the recommendations that we received from last fall as well as the recommendations from the various career reports and the post-inspection reports. One of the first things that we're looking to do is to improve the regulatory framework that governs oil-fired furnace installation and operations, and that's what we're aiming to do with this.

The second is to increase the public's awareness of oil-fired heating systems and what homeowners should be doing each year in order to keep them operating safely and efficiently. Yukon Housing Corporation is building on this recommendation to include total home maintenance so that homeowners, landlords and tenants are aware of all potential safety risks in their dwellings so that many of the risks may be identified and corrected. By now, I'm sure that most Yukoners have seen or heard advertising related to having furnaces and masonry chimneys inspected, installing carbon monoxide and smoke detectors to improve safety, and that Yukon Housing Corporation has low-interest loans to assist homeowners to have their heating systems inspected and repaired or replaced as needed.

There is much more information coming in the months ahead to better inform homeowners to identify safety concerns with their heating systems and other potential risks that may be present in their homes. In addition to improving public awareness, the Yukon Housing Corporation is now updating its web-

site to serve as a primary resource to further assist Yukoners who may have questions related to virtually any aspect of home ownership and safety. From purchasing and building a home to performing proper maintenance of one, the new website's content will be a valuable information resource and we expect it to be on-line within the next 30 days.

The Department of Education, in partnership with Yukon College, will be promoting a career as a certified oil burner mechanic to interested Yukoners in all communities. One of the key things that the Minister of Community Services and I heard when we visited the communities last year was the lack of service options that exist outside of Whitehorse if you have a heating problem. At 40 below, a local servicing company can mean a great deal when your furnace stops operating. The objective is to promote careers in the field of oil burner mechanics, or OBM, in the hope that certified OBMs will establish themselves in the communities and provide a local business service to the home and business owners and expedite repairs when problems occur.

Moreover, certified oil burner mechanics will help to raise the bar and the quality of work they perform to comply with the B139 oil burning regulation and related requirements of the *Building Standards Act*. This is the big picture plan of what the Yukon Housing Corporation, Community Services, and the Department of Education are undertaking now to meet the recommendations that we heard in not only the coroner's report, but also the Oil-Fired Appliance Working Group report and Mr. Corea's reports.

One of the things the Member for Copperbelt South left out in her report during her second reading response was the fact that we also undertook a community-by-community visit: the Minister of Community Services and I were accompanied by the Member for Pelly-Nisutlin and the Member for Watson Lake — and the Member for Kluane joined me on the Kluane portion of those consultations. It was very informative and important for us to take those recommendations out to the broader Yukon public to get a sense of what they were thinking, particularly those who live outside of Whitehorse, where the access to certified oil burner mechanics may not necessarily be as easy as it is in Whitehorse.

When I travelled to Old Crow, we heard from a number of community members, including the former NDP MLA, who suggested it may take as many as five years to train an individual to be able to supply that type of service in the community of Old Crow. When I travelled to Haines Junction, the former NDP candidate attended the meetings and mentioned at that meeting that the Whitehorse rules don't always work in the communities, and that we may be unfairly penalizing communities outside of Whitehorse or doing exactly what we're trying not to do, which is make homes less safe by discouraging individuals from having their furnaces serviced by individuals who have perhaps been doing it for as many as 30 or 40 years in some of the communities. Beaver Creek is one of the communities I visited, where an individual who was doing it had been doing it for that number of years.

I think one of the unfortunate things about our community-by-community visit is that no members of the Opposition at-

tended, save for one — the Member for Mount Lorne-Southern Lakes did attend the Carcross meeting, where we had a good discussion about the types of changes we're wanting to bring in and what we had heard.

The Minister of Community Services and I also engaged industry. We had an industry round table at the conclusion of our community-by-community tour to discuss what we had heard and to look for solutions on a go-forward basis. Of course, when we brought in these changes to ensure that only licensed individuals could do the installation and major modifications on home heating systems — and I should say that those systems include the tanks, the feeder lines and the oil-burning appliances themselves, as well as the chimneys. That is one of the most important changes we have brought in.

Talking to a number of individuals outside of Whitehorse, it was felt that the capacity at this time in the industry wasn't there to extend this to the servicing aspect. That's what we reacted to. We listened to Yukoners. We got out there and engaged Yukoners with this, and we listened to their concerns, particularly the concerns of individuals living outside of the Whitehorse area, and made changes based on that.

When it comes to the education aspects, I've mentioned that we do have a number of individuals who are engaged in the apprenticeship side with respect to the oil burner mechanic journey person certification. There are currently 15 Yukoners who are registered as oil burner mechanic apprentices through the Yukon apprenticeship program. That number may have increased in the last while. The note that I have is from the start of the spring session, and I understand there may be even more individuals registering.

Yukon College is going to offer level A oil burner mechanic training between May and July 2013, and apprentices who cannot attend during this time or who need level B training will take their training at the University of Guelph. Yukon government and Yukon College continue to discuss opportunities to provide more local training toward certification in this area.

I think one of the important aspects of governing is to ensure that we listen to Yukoners. We did that. We went out and engaged Yukoners last fall and heard their concerns and responded to those concerns. I think we have a piece of legislation in front of us here this session that reacts quickly to what we heard.

It incorporates many of the recommendations that we heard, working toward — through training and capacity building — enhancing those recommendations and even going beyond in some instances with respect to the carbon monoxide detectors — making that mandatory in homes. I know, again, that the Hawkins-Gignac Foundation recognizes that we're the first jurisdiction in the country to make carbon monoxide detectors mandatory in homes. On many aspects, and building on the recommendations, we've gone above and beyond. Again, one of the most important things that we have to do as legislators is listen to Yukoners, and that's exactly what we did last fall. We are responding to their concerns and have introduced changes here with this bill that will assist with the safety of Yukoners and help them to feel more safe in their homes and

ensure that they have that peace of mind for themselves and their families. So I do look forward to Committee debate on this and introducing a bill that, in many respects, is cutting edge in the country.

**Mr. Silver:** I'll be very brief here during second reading. There are some changes in this act that are finally being legislated, with the submission of these amendments. There is a need in the Yukon for individuals to obtain the certification necessary. I know this issue is there. It has been discussed in my community. Dawson City is one of those communities that is ahead of the curve here and does have certified installers — red seal certified installers — both in the private sector and also with Tr'ondëk Hwëch'in as well. I believe the Mayes family are all certified up there in the private sector as well. We are one of those communities that has the capacity on the ground floor already.

The minister opposite spoke to whether or not other MLAs attended their community tour. I did not attend the community tour; however, I did communicate with those community members before and after to make sure that industry and the First Nations did make appearances. I spoke with these individuals afterward to make sure they were happy with the conversations and, other than that, I am satisfied with the amendments. Do they go far enough? I guess we shall see. I will be supporting these amendments, and I look forward to discussion during Committee.

**Hon. Mr. Istchenko:** I am pleased to get up and speak today on a little bit more of a rural Yukon aspect to this. I commend all the officials for all the hard work they have done on this and the working group that put a lot of work into this.

One of the first key points is that the working group recognizes the challenges that lie ahead. We believe the time is now to move forward with important changes to enhance the safety of Yukon residents.

The plan takes into consideration the significant work that has already taken place and provides the means for moving forward with resolve. The changes we recommend will not happen overnight — my colleague spoke to that a little while ago. While some action items can be applied immediately, others will take time. Raising public awareness is a fundamental component of this plan and it starts now. The owners of oil-fired appliances must understand the operating principles of their heating system and take the necessary steps to ensure it is operating as safely as possible.

We must be aware of the important aspects of oil-fired appliances and accept the responsibilities we share. I might add that any time you buy anything in Canada, it's CSA-approved and it comes with instructions — your vehicle, your furnace. The responsibility does lie with the homeowner a little bit on this too. Safety begins with knowledge and directions for something you buy. We must raise awareness on how critical it is to properly install new systems and to modify services or inspect existing systems. It is time to combat the complacency that may have been adopted regarding oil-fired appliances and the supporting system. Standards must be followed and work must

be completed by people who have the skills and knowledge to do so properly and safely.

One of the other things that I picked out of this was we recognize and appreciate the work that has been completed by so many dedicated individuals, enterprises, and organizations in the past. Your efforts have contributed to the steady improvement of the state of oil-fired appliances in the Yukon. Your work, along with the numerous individuals and groups who contributed their input, time and knowledge to the development of this current action plan will benefit all Yukoners. That is so true.

There has been progress on the industry side. We observed numerous examples of industry representatives who took additional training and who incorporated better practices within their companies. This has been a positive step forward and we're seeing that slowly in rural Yukon. The oil-fired appliance working group has determined the need to implement balanced — I've heard that word before — balanced measures that are relevant and address the challenges Yukon residents face today. Yukon residents from Old Crow to Watson Lake to Beaver Creek are all Yukon residents. It is important to continue the work that has already begun and to progressively take the necessary steps to enhance the safety of our friends and families.

I want to have a short speech about public awareness about that because that is very important, Mr. Speaker. In my newsletter that I put out last year after the tragedy of the Rusk family, I included information about CO detectors, fire, smoke detectors just to remind Yukoners. That's something that we need to continue doing. It has to be done on an ongoing basis.

The education and training are very important. I see it in my community. There are more people now who are doing the training, but the training doesn't happen overnight. As my fellow colleague alluded to, it takes time to become qualified. Then the legislation is also very important. Parts of the legislation are important. By going on our community tours, we found out quite a bit. Of course, it's the owner's responsibility.

I just want to give you a little insight into a furnace in Haines Junction. A fellow resident — a friend of mind — who grew up there — a senior — ordered a furnace from a company in Whitehorse. The furnace's price was \$4,200. That's 100 miles. It was \$10,000 for installation. I saw the bill. That's because there are hotels, there are motels — and it was actually four of my friends and I who helped him move the old furnace out and put the new furnace in. They didn't do it. We did it for him and it was still \$10,000. The cost was \$14,000.

Now, it was put in by red seal certified people who work within the industry.

When it comes to the education and training, we have a local furnace guy who works within Highways and Public Works. He's responsible for every furnace — he's red seal certified — from Beaver Creek, all the way through down to the Customs, all the way through to Takhini. So he has a big job there. We have one guy in rural Kluane in the private sector, who is red seal qualified. We have guys in some of the communities with 30 years of experience. They're the ones who go out and work and fix furnaces when it's 40 below — 30 years of experience. They never challenged a course because, actu-

ally, that's not their job, but they've always been there in their community to help. I have a brother-in-law who's like that.

To the point — I've been listening in the House the last two weeks, and the word "consultation" comes up all the time. There was a bill put forward last week, where members opposite proposed an amendment. We don't want to consult — just do it. Well, we went out and consulted on important things for Yukoners and what I thought about when I was driving up the highway during the election — I was looking at all the election signs from the different parties and in all of the Yukon there was one name on one of the signs — on every sign — from the Leader of the Official Opposition. So I'd be happy to pass on to my constituents in Beaver Creek that the members opposite aren't going to support this. They're not going to vote for it. But they also don't really care if your furnace goes out at 40 below, and it takes 12 months to get somebody from Whitehorse to come up there and fix it.

They would rather see you freeze to death than have somebody with 30 years of experience — just because he doesn't have a ticket — go to that person's house and help them get their furnace going. Like he always says, "Next time somebody comes up — if Yukon Housing Corporation has a guy coming up to inspect houses, let's work together and see if we can't get him to come over and look at this," but at least the guy doesn't freeze to death with his family — with his little baby.

I just wanted to get that across. I will be passing that on in my riding. That's why I believe — I say it all the time in this House: rural Yukon is different; we have to do a balanced approach. I commend my fellow colleagues. I commend the Minister of Community Services for getting out there — for all of us getting out there and talking. Like I answered to the member opposite — we'll consult when it comes time for the functional plan. That's what we do, Mr. Speaker. We want to get out there and hear from Yukoners.

I would just like to commend everybody. I would like to thank all the officials who went forward with this, and I look forward to this passing in the House. Thank you.

**Ms. White:** I'm just going to talk about the coroner's inquest, because that was a pretty big deal for me. The Minister of Education pointed out that he didn't see members of the Opposition at the consultation process, but I actually didn't see members of the government caucus at the coroner's inquest. There are a lot of things that happened in that inquest that I think are really important to be spoken of right now and just to bring to light.

In the entire five-day process, the painful truth about the coroner's inquest was how many mistakes happened before the deaths actually occurred. They were so numerous and they were so glaring. We sat in that room and listened, and we were shocked with the state of affairs in the Yukon at that point.

We're talking about new installations. What happens to a boiler that gets taken out of a house in Ross River, from a Yukon Housing Corporation house, and gets picked up by a plumber, and that plumber is qualified for the plumbing parts of that boiler, and then that boiler got installed into a house. A

permit was never pulled out for that installation because the homeowner didn't pull one out and neither did the plumber. Even at this point in time, it had problems, before it had even gotten installed in that house.

It's one thing to say that an installation is going to require a permit, but what happens to those pieces of equipment that are getting recirculated? The only reason it's ever going to get inspected is if someone knows that it has been put in. We can increase the fines by \$10,000, but if an inspector doesn't know that it has been changed, it doesn't matter. It's still there.

We talk about regular inspections and how they become the responsibility of the homeowner. Well, I bought my very first house last November, and my furnace, before I bought the house, had been serviced in September and had passed. It wasn't until I got my home inspected before I purchased it that the home inspector told me that my chimney was inadequate for the size of my furnace and that my chimney was too large and that it needed to have a sleeve put in to make it safe. But it had been inspected by someone who was there as a qualified service repair person. The chimney wasn't looked at.

So we have these advertising and public awareness campaigns about your chimney — call to get your chimney inspected — but whose responsibility is the chimney? In other jurisdictions, the chimney is part of the oil-fired appliance. It is one and the same. If you have a furnace or you have a boiler that runs on oil, the chimney becomes the responsibility of that person.

If you look at what happened to the Centennial house, to the Rusk family and Donald McNamee, you'll realize that the chimney was one of the big problems and it's because no one was responsible for the chimney. People looked from the ground; they could see the light through the top and say it was fine. Everything that came out after that says that there was nothing fine about the chimney. So we have this advertising campaign, this public awareness about getting your chimney inspected, but who do we call to inspect our chimney? Who do we call? It's not enough to go from the ground to look up; you need to be on the roof and you need to look down. Is it the right diameter? Does it have the metal sleeve in it? It's a big deal. In other jurisdictions, oil burner mechanics, the technicians, or whatever their names are, are responsible for that chimney. The only person who can touch a chimney attached to an oil-fired appliance is a qualified technician. So then what's going to happen with our chimneys here? Where do they get looked at knowing that the chimney was a big part of the problem at the Centennial house?

Sitting through that inquest and watching the family, the surviving siblings, trying to go through the process and asking the questions, the really interesting thing is that Rod Corea had been up here and he had done so many reports. He said that, unless things change in the Yukon, he would not come back, because every time he came back, it was the same or worse than the time he came before.

During that inquest, Rod Corea was not called as a witness until the family in the very last minute on the day before the very last day called him and asked if he would make himself available. Then for three and a half hours everyone in that room

listened to him lay out that this was destined to happen. He laid it all out. He said in all his three previous visits, that unless the government took the right steps, this was going to happen.

I got to watch the siblings of that family try to process that information, and that was not very much fun.

There's a lot to be said. I care about the rural family in Beaver Creek and I don't want them to freeze, but I certainly don't want them to die, either. I think it's important that, if someone in rural Yukon dies of a similar incident, then we in this room will be responsible, and that's pretty hard to stomach.

There are a couple of things. You know it's a start, but it's not far enough. The family made certain recommendations and some of them were quite clever because they weren't coming from industry, they were coming from a family who was trying to deal with this loss. They made the suggestion that any appliance that was sold, be it a furnace or a boiler, not be allowed to be sold until a permit was in hand because then that would guarantee inspection. The new sheet that Yukon Housing Corporation has is part of your inspection, but there is no place on that for a licence number. So it's my responsibility as a homeowner to be sure that the person who is doing the work is qualified. How am I supposed to do that? Am I supposed to ask: can I see your ticket? Can I have your licence number? How am I supposed to check that out?

I hope I never sit through another inquest. I hope I don't ever have to watch that happen again and I hope I don't hear the 13 mistakes that happened, leading up to the deaths. They had a smoke detector and that wasn't enough. There was a W5 program a number of years ago and 100 carbon monoxide detectors were tested and only 38 passed all the requirements — parts per million — only 38 passed every single test.

I have a carbon monoxide detector and I hope it works, but I would hope that the person repairing my furnace knows what they're doing as well.

So based on the inquest, knowing that the person who repaired that boiler was qualified under today's regulations to have done the repairs; to know that another service repair person went in and they turned it off and it got turned back on and no one knows how that happened — and blaming the family is not acceptable because before all of that, a used boiler got installed in a house and it never got inspected and it wasn't safe.

So how do we make sure that used appliances aren't going to be installed without permits? We've increased the cost and that's important; the penalty — that's important; but there is still no guarantee that something that happens in a basement will ever see the light of day.

I just wanted to flag those couple of concerns that I have. I hope if anyone in the communities is listening, you understand that I care enough about you that this is a big deal. I hope you're warm, but I also hope you're safe.

**Mr. Hassard:** It's a pleasure to rise today to speak on behalf of Bill No. 57, which is dealing with oil-fired appliances.

To me, Bill No. 57 is about safety — safety being the key. I will be brief today, as I usually am, but I cannot stress enough the importance of education in regard to the safety of Yukon-

ers. By education, I mean Yukoners understanding the importance of ensuring a few key issues with regard to oil-fired appliances.

It is important for homeowners to be responsible. Homeowners need to ensure that their appliances are running cleanly and efficiently. Homeowners need to be responsible that their chimneys are clean and they're allowing the exhaust gases to escape properly.

I think probably the most important — and far and away the cheapest — thing you can do is ensure that your house is equipped with carbon monoxide detectors and smoke detectors.

As the Member for Takhini-Kopper King said, not all detectors work 100 percent. Unfortunately, nothing in this world has a 100-percent guarantee, but the more diligent we are in ensuring that our own homes are safe, the better off we are.

The other side of the education piece is what my esteemed colleague, the Minister of Education, spoke to. I know he's trying to get Yukon College to work with Outside institutions in an attempt to have our own people become red seal certified technicians right here in the Yukon, and not have to travel to Nova Scotia or the east coast for four years of schooling to become a red seal technician.

My mother always taught me that if you don't have anything nice to say, don't say anything at all, but I think today she'll probably forgive me for what I have to say.

During Question Period, I listened to the Leader of the Official Opposition and it was interesting to hear her questions and comments. It was rather disturbing because it sounded to me like she would rather see people in rural Yukon freeze to death or have their houses freeze up.

**Some Hon. Member:** (Inaudible)

#### Point of order

**Speaker:** Opposition House Leader, on a point of order.

**Ms. Stick:** Mr. Speaker, this is the second time that I point to 19(g), which imputes false or unavowed motives to another member. We do not want to see people freeze to death. We do not think less of rural people and that's the second time. I let the first one go, but not the second.

**Speaker:** Government House Leader, on the point of order.

**Hon. Mr. Cathers:** In my opinion, I think the Member for Pelly-Nisutlin was providing his interpretation, clearly phrasing that it was what it seemed to him that the Leader of the NDP was saying, so in my opinion I don't think there is a contravention of 19(g).

**Some Hon. Member:** (Inaudible)

**Speaker:** If the Leader of the Official Opposition has a comment to make on this point of order, please rise and be heard.

**Ms. Hanson:** Thank you, Mr. Speaker. I think if the member opposite would make reference directly to the question, there is no substance to what he just said and I find it incredibly offensive.

**Speaker's ruling**

**Speaker:** The Leader of the Official Opposition's present statement was totally different from what she was saying off the record. The Leader of the Official Opposition wanted to make a statement in reference to what she was saying when she was seated, but she diverted from it. In that particular point, no, I won't accept the statement on the point of order.

I will say there is a point of order in this matter. All members are to treat each other as honourable, so to imply that a member in particular, or even for that matter any group, any party of this House, would like to see something happen to the public at large or individually, is not, in my opinion, an honourable statement. I'll ask the member to apologize and to refrain from personalizing statements as well.

Does the Minister of Highways and Public Works want to make a statement? Is this in regard to the point of order?

**Hon. Mr. Istchenko:** Yes, it is, Mr. Speaker.

**Speaker:** I'll ask the minister to sit down. I've made my ruling. It is not questionable according to the rules and not acceptable procedurally either.

**Mr. Hassard:** Thank you, Mr. Speaker. I will retract the statement or apologize. I was taking my interpretation of what was said during Question Period. I guess we all have our own interpretations.

**Speaker:** I would ask the member to move on.

**Mr. Hassard:** I guess the point that I'm trying to get at is if we aren't careful in how we proceed with legislation and we did do everything that other members have asked, we will have houses freezing up in communities in rural Yukon. We have communities where people wait weeks, and quite often, months for a red seal certified technician to show up in a community. I'm sorry, Mr. Speaker, but when it's 40 or 50 below and your furnace is out, you don't have weeks or months; you have hours at best.

We on this side of the House get criticized a lot about not enough consultation; you did the consultation but you didn't listen to the Yukoners; you didn't listen to the people. I personally attended six meetings in six communities and I'm happy to say that we did listen to the people. Out of those six communities, at the meetings I was at, I actually only encountered one person who felt that the servicing side should be included in this legislation.

It was a young man in Dawson who actually was a certified red seal technician. I understood his reasoning for wanting that, because he had gone to school for four years, and it was his trade. He was passionate about it, and he felt that it was important. That was his life. I understand that.

But, as the Member for Klondike said, Dawson is a different situation, because there are technicians there who are red seal certified. I was in Old Crow and Ross River — they don't exist there. So what do those people do? Even Teslin — it's only two hours down the road, but it's guaranteed three days — and usually two weeks — before you can get someone. So it's not a simple thing. The Member for Riverdale South and I have a mutual friend — a very good friend to both of us — for his

entire life, he's been fixing furnaces and fixing whatever somebody needs fixed.

If you go in his garage today, there will be at least four or five furnaces in various different states that he has been — I won't say "scavenging," but we'll say "salvaging" parts from so that he can fix someone else's furnace when it's 50 below and their furnace breaks down.

I have full trust in that gentleman, as I do in other people in Teslin, Faro and Ross River whom I've known for years and they've dedicated their lives to doing this type of thing, but they're 50, 60 and, in some cases, 70 years old. They're not going to go to school and get educated to become red seal certified technicians. But does that make them any less knowledgeable? I don't think so. If my furnace breaks down, I'm going to phone one of those gentlemen. I'm not going to wait for someone to come from Whitehorse and see if my house freezes up while I'm waiting.

I just had one other comment. The Member for Copperbelt South spoke to great ends about the Corea report, but never once did I hear her mention, of all the infractions that Mr. Corea found, how many of those installations that were done improperly, or maintenance that was done improperly, was actually done by a red seal certified oil-fired appliance technician?

In closing I'd just like to reiterate how important it is to listen to all people in the Yukon and hope that we all think about this very smartly and, as we move ahead with legislation, that we don't create legislation that actually hurts people, rather than keeping people safe.

**Ms. Hanson:** I just rise to speak to Bill No. 57, which is before us this afternoon. There have been some unfortunate words spoken this afternoon and I'm hopeful they're not intended in the way that they were delivered or heard.

The matters that we're discussing today are very important. I speak to this as both a former homeowner who experienced many of the problems that Rod Corea identified in the reports that he was commissioned to do by the Yukon Housing Corporation — in fact, had Mr. Corea do inspections of our oil-fired furnace. During the course of the inquest and in conversations — I'll go back to that in a second.

I do agree with the Member for Pelly-Nisutlin and other members that it is a responsibility, one my colleague from Takhini-Kopper King identified is a responsibility for homeowners to be aware of the condition of their home, to be aware of the heating systems and the chimneys that support those heating systems. But in fact this home was not owned by the people who died. It was a rental accommodation, so as much as we want to blame the victim or say that you're responsible, in some circumstances it is beyond your control.

What the family said to me was that they felt that they were blamed for being poor and sometimes I feel that's exactly what happens in this Legislature at times.

I do think that we need to have a fail-safe system of safety for fire in our homes. That's what an oil-fired furnace is: it's a live fire — and we don't have that. When we can have somebody — as I heard during that inquest — who was a plumber

tell the inquiry that they had installed boilers — over 100 of them in this territory — and had no idea what a CSA standard is, doesn't know why that oil-fired boiler would leak fuel oil, I have a concern. I understand where the family was coming from when they made the recommendations that they did, which were adopted by the coroner's inquest. What they were looking for was a chain of accountability for somebody who comes into your home and does the yearly servicing or inspection or whatever, and goes, "Oh my goodness, there is something poorly installed here" but they're not required to let anybody else know.

Now, what they recommended was the overall adoption and implementation of the study results and recommendations made by Rod Corea. Those were the reports. They were attached to the coroner's inquest as exhibit L. There was a very large binder that accompanied it as evidence. It was interesting that Mr. Corea's reports were not part of the evidence until this family made it an addendum.

They also recognized and wanted to see the adoption of all of the Oil Fired Appliance Working Group recommendations that were at exhibit 33 of that compendium of documents. They too agreed with the members opposite and with my colleagues here about the importance of education. They recommended that there be an annual education awareness campaign for the Yukon general public on the need for carbon monoxide detectors and smoke/fire alarms and that that be tied into the fire prevention system.

Mr. Speaker, they went further. More than just talking about it in the general media, they wanted it tied into the general Yukon education system. Where the accountability went — we heard throughout that inquest and we heard today the issue of how do you ensure that the people you trust, either as a homeowner or as the owner of a property that you are a landlord of, to do the installation of this very important piece of equipment, that there is some chain that says it's not just on the honour system and it's not just because you want to or think you might or could or should, but you are absolutely required to have a permit.

I asked the Minister of Community Services last week, with respect to building permits, how that is monitored and effectively the answer was — and she agreed in the affirmative — that it's basically on the honour system. I will argue that when it comes to something that is so integral to the safety and the well-being of families throughout this territory, it cannot be an option as to whether or not you pull a permit.

It cannot be an option that there be an inspection to ensure that the installation or servicing that has been done has been done according to a code. We can sit here and we can pass the most beautiful piece of legislation, but if you haven't got an effective way of implementing it, it is useless. That's what that family said to the coroner, and he agreed. Those recommendations need to form part and parcel of what's being proposed in this legislation. We're saying that we believe that this legislation goes an awfully long way to doing it, but it has one or two areas of omission, and we'd like to see those corrected.

One of the key things I think is very important — and this was directed to the chief coroner in this inquiry. The jury said

that property owners must be provided with written documentation of installations, modifications and inspection results for fuel-fired heating appliances. That was a major failure at 1606 Centennial Street. That family might still be alive if any of that had been done — if there had been any checking and any obligation to do so.

This jury also asked and directed the chief coroner to adopt the Rusk family recommendation that a permit must be issued by a licensed authority before any new or used oil-fired appliance — what I was saying earlier — you need to have a record of it and you need a checklist and people have to acknowledge that. There has to be a chain of accountability.

The Yukon Official Opposition is pleased that the government has taken this — it has taken a very long time. We said last year that it was hard or sad to see that it took deaths. It was hard to spend time with that family, both during the inquest and after it. But you know what, Mr. Speaker? They said to me that they have hope and faith that legislators will do the right thing.

They also said they'll be watching, and watching carefully, to ensure that this Legislative Assembly uses every means available to it to ensure that no other family ever has to experience this kind of god-awful tragedy.

So just to reiterate — I just want to confirm again what the family said. They said the government should develop requirements that: (1) a certified oil-burner technician must inspect any oil-fired appliance that has been removed from service and ensure that the appliance is brought up to code B139 when the intent is to reuse such an appliance; (2) that a permit must be issued by a licensed authority before any new or used oil-fired appliance can be sold; and (3) government should implement a system requiring that only a certified oil-fired appliance technician performs service work on oil-fired appliances and inspects all components to that standard and subsequent amendments. They said a copy of the document listing all relevant and pertinent components to a safe working and efficient oil-fired appliance should be provided to the property owner, the contractor and the proper authority or governing body.

They are referring there to those who issued the permit because that's where it fell down. Everybody could point to each other and say, "I didn't do it. I didn't see it. I didn't know I was responsible." A simple thing of a multi-copy document — we can make them; we do it all the time. You would then ensure that the person who is going to carry on the next step has it or it's on record.

I thought it was important that we recognize and hear the voice of that family because these are the recommendations that they made to the coroner's inquest and they said as a family that they were glad that a process had been started to identify and correct inefficiencies. They said that they hoped that we would take seriously our job and we will and we are.

**Ms. McLeod:** I've heard an awful lot of statements today that I think might have been better suited if we were talking about regulations.

I just have a couple of comments. I want to say that I see a big difference between homeowners and landlords. I think that landlords obviously have a greater public responsibility than



homeowners do. We can certainly hope that homeowners are going to do what's best for the family, but I guess I'm kind of seeing everything a homeowner does — and let's face it, that's part of the reason why people buy their own home, so that they can make rules and decisions about where they want to live and how they want to live — and that government is stepping in to regulate all of their decisions. I suppose that would be fine if you had an inspector on every street corner. I am simply not in favour of turning the average homeowner into a criminal any time they decide not to wait for that certified technician to fix something that they can look after themselves. Whether they're wealthy citizens or whether they're not, some people like to do things for themselves and some people must do things for themselves due to cost.

I'm sure it can be said that government can easily pay for everybody's work but, you know, if you're going to pay for one segment of the community, I sure hope government's going to pay for everybody.

However, it has been referenced here today that the Ontario system of regulating oil burner mechanics and oil burner operation is something that we might want to achieve — and I'm not quite sure when their legislation came into effect, but I think it was probably in 1998 or 2001. According to Statistics Canada, the rate of deaths due to house fires in Ontario has remained fairly stable since 2002 to 2011. What that tells me is that all the legislation in the world does not prevent tragedy from happening, so in our attempt to ensure that no person ever dies for some reason that may never have been preventable in the first place, I think is a bit far-reaching for us.

While I certainly support training — I support training for homeowners so that they know what they can or can't do on their own; I support all manner of tradespeople and certification. Really, we didn't need to have legislation to move in that direction. I believe the Department of Education with Yukon College is already looking at training up tradespeople to look after oil burners.

We've heard it here already today that homeowners — I'm not going to make any differentiation between Whitehorse and the communities, because maybe we only heard from the vocal people in Whitehorse who are very adamant about certification; I'm sure there are a lot of Whitehorse homeowners who are a little bit nervous about being turned into something that may be less than upstanding — let me rephrase that — being turned into a criminal because they can't comply with new legislation.

I think we want to be very cautious about over-regulating. You're not going to hear me complain about or suggest that we shouldn't have new installations regulated — I can certainly live with that — but on behalf of my constituents outside of Whitehorse, I could not support any amendment that would come forward on this legislation that would limit the ability of the homeowner to look after their home.

I think that's really all I want to say. As I've said before, I know the suggestion has been that if you can't get a technician you would simply sit by and wait for your house to freeze up or any manner of damage to happen as a result of no heat in your house — and quite frankly I wouldn't wait until it was 40 below. I'd be fixing it at zero. I don't think Yukoners are going to

sit around and wait. Regardless of what the law says, they're going to get it fixed any way they can. We saw during the ice storm in Quebec, people were dying because there was no heat and they were moving barbecues and whatever they could to stay warm and that was killing them.

Anyway, I just want to make sure that people still have a right to do work for themselves and if we need to train people up to do that, that's a good thing.

**Hon. Mr. Pasloski:** I thought I would provide a few brief comments as well regarding the legislation that is in second reading right now. There are certainly some interesting comments that we are hearing from the Official Opposition in terms of some of the problems that they see with this legislation. Like usual, there are no solutions from the New Democratic Party. I mean there are problems, but they clearly articulate that it should be required; it should be legislated that servicing must be done by a red seal, through the extensive consultation that occurred by the minister responsible for the Housing Corporation, the Minister of Community Services, and a couple of the rural MLAs who went to all the communities to talk about the challenges and identify the problems that exist out there. We hear the NDP talking about how we need to have a red seal do all the servicing. We've heard from rural Yukoners saying how difficult — how impossible it is to be able to get red seals in the community, not within the hours it would take in the middle of winter when it's cold, but essentially, you are really looking at weeks in advance.

We have a situation where we have people who could potentially have no heat in their house in the middle of winter with the acknowledgement that there is, in a small community of a few hundred people, not enough work for a red seal mechanic to sustain a career in that community. We have no solutions from the NDP. They are insisting that this should be part of the legislation, but they don't have any solution as to how this would actually be accomplished.

I think it is worthy to note again, this is a topic they have discussed so intensely on so many occasions with some passion, but they didn't show up for any of the community meetings. We had meetings in every community, and of all the meetings that existed, only one Opposition member came to a community meeting. I also find it interesting that, through this debate so far, we haven't heard from the Member for Mayo-Tatchun, who is the only rural member in this Assembly for the Official Opposition. He has remained quiet on this issue.

I also know that in those meetings that occurred within his riding, he, in fact, was not present to hear what the citizens he represents had to say on this important issue.

This government acknowledges the tragedy that existed. Indeed, it was a tragedy. As has been discussed, many things came about as a result of this tragedy occurring. We are moving forward and we are making a difference. I think, as it was very well articulated by the Member for Pelly-Nisutlin, the best and most important thing that all people can do is to ensure they have a smoke detector and a carbon monoxide detector in their house, because that will save lives. We are proud to be the first jurisdiction in this country to provide such legislation to

ensure that regardless of how old your house is, there are smoke and CO monitors in place.

What we are doing is ensuring that there is education — public awareness out there and continuing to work to ensure that we have more oil burner mechanics available in the territory, and we're also ensuring that for the inspections; the ability to train the inspectors is there as well. Of course there is a piece that we're moving forward with and that is the bill that is being debated today in terms of some legislation.

I know that the NDP feel that the simple solution to all problems is just to create legislation and regulations, but in reality, that in fact is not the case. We can't sit here, make up a new rule and pat ourselves on the back because we've solved that problem; that's not how the world works. This government has gone out and spoken to the people in the communities. Within the City of Whitehorse, we have been working. I want to acknowledge the collaboration between the Department of Community Services and the City of Whitehorse and the great work that the City of Whitehorse is doing with respect to inspections within this municipality.

So a lot of work has gone on. We have been listening to Yukoners. We see routinely, as I mentioned last week in the House, NDP agree on consultation some of the time, but of course there are other times where it's not necessary; it's frivolous.

I want to thank the department for all the work because a tremendous amount of work went into moving forward with this piece of legislation. That work has been done; the consultation has been done. There is more work to be done to get to where we want to be, but this is a great step forward, and I want to acknowledge the minister and her department and the minister responsible for Yukon Housing Corporation as well for all the hard work that his department has put in. I acknowledge the members of our caucus who did go to every community in the territory to listen to Yukoners. We feel comfortable; we feel confident about moving forward with something that we know that has been supported by Yukoners and that Yukoners know that we have listened to them.

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

**Hon. Ms. Taylor:** Mr. Speaker, I want to thank all members for their comments, those who chose to participate in today's discussion of this very important bill before us. There has been a lot of interesting insights and a lot of interesting feedback.

Once again, I thank each and every member for putting forward their thoughts and their perspectives on such a very important issue. It's about the safety of our homes. I'm not even entirely sure where to start, but I have a few things to say here this afternoon. I suppose what I will say is that there have been a number of actions undertaken over the past number of years, from public awareness to some education and training initiatives provided through the Department of Education.

There was also a regulatory change brought about back in 2010, as I seem to recall, that enabled individuals to do any

installations or any modifications to their home heating systems and, in fact, that regulatory change resulted in a permit having to be pulled from the relevant authority. I say that because that could be through the City of Whitehorse, which has drawn down that jurisdiction — the only municipality to have done so — or they could draw that down from the Department of Community Services that oversees the permitting for the rest of Yukon.

The bill before us is premised on a number of amendments coming forward to three key pieces of statutes — the *Building Standards Act*, the *Electrical Protection Act* and the *Fire Prevention Act*. The bill is premised on the commitment that we have made over the course of the last number of months — that is, primarily getting at installations and modifications. Of course, it also includes Yukon being the first jurisdiction in the country to make it mandatory for each of those households to have a carbon monoxide detector as well as smoke alarms. Of course, that's not the case in the rest of the country.

These changes were brought about by a number of various initiatives, as I attempted to state at the onset of my opening remarks.

I have to say that back when we had tasked the Oil-Fired Appliance Working Group to come together to put forth an action plan for Yukon, within days of receiving that report, Mr. Speaker, the ministers responsible for the Yukon Housing Corporation and Education and I, accompanied by a number of rural MLAs from this side of the Legislative Assembly, took that out and had meetings with First Nation governments and officials and their public works departments. We had meetings with mayors and councils in primarily every community. We had open houses in each of those respective communities. Within the course of a couple of months, we were able to cover the entire territory. To be brutally frank, when we received the report, I was actually one of those individuals saying, "You know, this seems like a good plan; let's go regulate the installation, modification and servicing" — until I actually went out on the road and talked to people in the communities.

Each of the communities sat down again. It may not have been the chief and council, but often we were referred to the public works departments — the people who are in the know, the people who actually go to work and service these actual home heating systems each and every day on their respective settlement lands. Until I talked to the mayors and councils about what was being proposed in this document and until we actually held open houses, I have to say the first meeting that I had really was an eye-opener for me. It was in the Village of Mayo. We had a meeting with mayor and council and it became abundantly clear to tread cautiously. The very fact is we don't have a certified mechanic — a certified red seal oil burner mechanic in our community — and how that is going to create a number of issues for us. If you go ahead and legislate, that may in fact lead to our homes being even more unsafe because of a liability associated with one of the individuals who has been servicing the furnaces in that community for a long time, 35 years plus.

If we were to legislate the actual servicing — you know, making sure that only certified mechanics go ahead and service

— that's going to create an issue. It's actually going to make your homes even more unsafe because you're right. Because of the liability associated with this, those individuals will no longer want to even look at those home heating systems because it will be the law for them not to — the very fact as has been articulated. We certainly heard this throughout many of the communities. In January it could be 35 below and your furnace goes out and you're no longer going to be able to rely on the individual you've relied on all these years to have that emergency repair, to do that servicing.

I really took it to heart and I've got to say thank you to the many people who showed up in the community of Mayo at the first meeting. I don't have time to go into every single community — I wish I did because I've got a lot of notes on all of the comments that were made. It was a two and a half hour meeting and I got an earful from lots of different community citizens who showed up at that meeting.

I'll just make a couple of comments: the very fact that we have trouble finding someone with certification in Mayo — it doesn't exist. Service work, in particular, will be a problem with no local certified service persons. When we met with the Village of Mayo, it was articulated to us that there was an incident last winter when the boilers in the village office broke down and there was no one available for servicing. What happens then?

If in fact we go ahead and legislate the need for certified individuals to do this servicing and it's a requirement for that service work to be done, the concern is having no one available to do that work. One woman related a story of having tried unsuccessfully for a period of four years to arrange for someone from Whitehorse to travel to Mayo to service her furnace. These aren't my stories; these are actual reflections of life in rural Yukon. This is an actual quote from someone, "If our local, uncertified service people aren't allowed to do this service work, it will lead to more backyard mechanics fixing things with duct tape, et cetera; the exact thing we don't want to do.

Another comment, "It would simply be unrealistic for us to live up to new regulations, such as what was being proposed within the community of Mayo." The cost factor — I heard about that too and I know other members also did. The cost associated with having someone travel to the communities is a concern but, for me, it was having the backyard mechanics fixing things with duct tape, et cetera. This is what I had heard. Quite frankly, it goes on. In the communities such as Carmacks, we heard in our meetings there is someone who comes to Carmacks to service furnaces and boilers in municipal buildings but refuses to go to private residences because of the lack of time and the lack of demand or money associated with servicing furnaces — again, no certified local service providers in the community of Carmacks.

We also heard loud and clear during our meeting with mayor and council the onus should be on homeowners more so than government.

Now, I heard from one of the councillors, that it was abundantly clear that whatever the new requirements are, there has to be common sense. It must be feasible for us in the communi-

ties to comply with them. Maybe something can also be done to make things more affordable. We also heard at that meeting that carbon monoxide monitors should be mandatory. This is a no-brainer.

Moving on to the community of Faro — that was another interesting discussion and another very well-attended meeting. Again, I got another earful from citizens of Faro. I talked about how issues in Whitehorse are not the same as in the communities — the fact that there are no certified technicians in the community. The question of what are the impacts of somebody doing an emergency repair that's not certified — what would the liability be following the legislation? It would likely mean people would refuse to do the work. That's something we heard in the community of Mayo, in Carmacks, in Faro, in Watson Lake and in Teslin, to be sure — and those are just some of the communities I went to.

I can't even speak on behalf of the minister responsible for the Yukon Housing Corporation who went to the other half of the communities.

Again, in Faro — huge problems for municipalities as staff capacity is limited. It would affect the services in town if the legislation required fully certified mechanics to do the servicing. Acknowledgement that more training is needed is really the emphasis — education; public awareness.

In Pelly Crossing, training — big problem for Pelly Crossing. When we met with the Selkirk First Nation, again, we were directed to public works individuals. Hard to find the capacity required for the time commitment to become certified and the fact that there are no certified mechanics in Pelly Crossing and the difficulty in having readily accessible contractors from Whitehorse where there are.

You know — boy, I've got pages and pages of notes of all the comments that I heard. It's a different world in rural Yukon communities.

It seems as if the government is well-intentioned, but seems as if we may have gone past the line of common sense. Those are not my words; those are the words of individuals who participated in our open houses. I don't have a lot of time and I know that time is very important to all members, but those are just some of the comments that we did hear.

I want to say that when it comes to one of the key recommendations of the coroner's inquest — and I want to really put this on the record — was, and I quote: "... ensure that applicable regulations have provisions to provide persons or companies presently working in the affected industry sufficient time to become qualified."

That's really key. I've stated this in the public domain many times. Having certified mechanics in every community is the ultimate goal, and I wish we had that, because then we would be able to make that certification possible. The reality, and again what we heard directly in the communities, is that we're not there yet. But that's why the Yukon government, working in collaboration with Education and the college and other institutions across the country, is working to increase the number of certified mechanics to build that much-needed capacity in the communities, which we heard over and over.

During the meetings, we heard some solutions as to how we can help build capacity, not only by making training available to individuals who have been providing that servicing for many years but aren't certified, but how to bring them up to that next level. We're working on that. We're also working on making it more attractive. I can tell you, I know first-hand of a young person who has been working with another individual who just left his job to train as a certified oil burner mechanic. He's an apprentice right now — it's because of these changes. These changes are going to help make this industry a lot more attractive.

The desire is there; we need to build capacity; we're committed to doing that. It's not going to happen overnight — herein lies the very specific recommendation.

I look forward to answering specific questions from members opposite. We do look forward to continuing to do our work in terms of building capacity, providing that added public education — those campaigns — and working collaboratively as a government.

Working in collaboration with the City of Whitehorse is a very key factor in all of this because of their ability to do the inspections and to also work with us in providing the permits. That is very key to the success, and I'm pleased to report that we've had a lot of discussions with the City of Whitehorse over the course of the last number of months. They are supportive of these changes going forward. Also, I just want to say that, in terms of these changes, they will apply to all landlords as well. As we go ahead with the preparation of regulations for the *Landlord and Tenant Act*, this too will be up for debate, in addition to what we have provided here in this bill.

Last but not least, it is a shared responsibility. I heard somewhere over on the opposite bench that the government is saying that this is only the owner's responsibility. It's not; it's a shared responsibility. It's not only government's responsibility; it is the responsibility of industry and it's the responsibility of individual homeowners to do what we can to ensure that we have safe homes for our kids and for those who provide covers over their heads.

I can't stress that enough. We will do our part. We will provide additional public education. We will enhance the need to have that routine servicing — by the way, in this bill there is an allowance for a public register for certified mechanics. So if individuals want to reflect upon that list, they can go to that list and they can make that determination whether or not they want to subscribe to that service or not as well.

So I see my time is running low. Again, I want to thank the Department of Community Services for their hard work in bringing forth these amendments. I want to thank all Yukoners who have contributed to this debate over the last year. I believe that we are going in the right direction. We are committed to making changes, but we need to do so in a responsible manner. I thank everyone for their comments.

*Motion for second reading of Bill No. 57 agreed to*

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

**Speaker:** It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. McLeod):** Order. Committee of the Whole will now come to order. The matter before the Committee is Vote 8, Department of Justice, in Bill No. 10, *First Appropriation Act, 2013-14*. Do members wish a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### **Bill No.10: First Appropriation Act, 2013-14 — continued**

**Chair:** We are resuming general debate on Vote 8, Department of Justice.

#### **Department of Justice — continued**

**Hon. Mr. Nixon:** Madam Chair, when we concluded debate not too long ago, the question was pertaining to land titles. I think it's important to go into some greater detail on the modernization of the land titles system.

Phase 1, which was the scoping phase, extended from May until December of 2012. The department concluded the activities of phase 1 by December 31, making recommendations to me regarding the essential elements that we will need, including new legislation, an appropriate computer system, relevant business practices and a business model that will work for Yukon. In phase 1, officials in the department reviewed Yukon's existing legislation, as well as legislation in other jurisdictions for best practices. They also looked at up-to-date computer platforms used to support other land titles systems. They looked at and reviewed the business processes needed for efficient and accurate registration of land titles information, and they also examined the governance models and fee structures used in other jurisdictions.

A land titles modernization project website was created to allow for posting discussion papers addressing the modernization of the land titles system and the *Condominium Act* and inviting responses from interested stakeholders. The discussion papers were finalized with the input of the stakeholder advisory committee and are posted on the site.

I think it's appropriate at this time to thank again the stakeholder advisory committee for their work on this project. Their support and expertise is invaluable.

The Department of Justice officials as well as representatives of the Law Society of Yukon and the Association of Canada Land Surveyors met with Land Titles Office officials in British Columbia, Alberta and Saskatchewan to discuss their

modernization experiences, their modernized computer system, their business processes and their governance structures. *What We Heard* documents for both the land titles system and the *Condominium Act* were prepared and posted on the land titles modernization website.

Now phase 2, the development phase of the modernization, began in January of 2013. This phase will extend to the fall of 2014 and will incorporate the development of new legislation. It will incorporate a business analysis and selection of a new computer system that will properly support the land information functions performed in the Land Titles Office. It will also ensure that the land title information used in other government departments and branches is accessible. It will incorporate the development of applicable business processes, as well as the changed management practices that will be needed to shift to new protocols. It will also work with our stakeholders and intergovernmental users to ensure that the activities they employ to do their work are taken into account in developing new processes.

The last phase, phase 3, is the implementation phase, which will extend to June 2015. In this phase, the department will put into place the new business model, including bringing into force new legislation, transitioning to new supporting computer software and adopting new business processes appropriate to the new model.

At this time, I would like to take a little time just to remind this House of the purpose and function of the Land Titles Office and its role in land development in the Yukon. The office operates under the authority of the *Land Titles Act* for title parcels and the *Condominium Act* for condominium units.

Yukon's land titles system is based on the Torrens system, which is used in all of Canada's western provinces and northern territories. It is considered the best system in existence for fee simple land. In a Torrens or land titles system, all original certificates of title are retained by government's Land Titles Office and interests against that title, such as mortgages, are registered in the Land Titles Office. The priority of these interests is determined in the chronological order in which they are filed in the office. The registrar keeps a day book to record the exact date and time of that registration, and the originals of these documents and survey plans are kept in the land titles vault.

When a member of the public registers ownership in a parcel of land, the registrar issues a certificate of title, and the public is entitled to rely on the certificate of title as evidence of the correct state of that title. The fact that the interest is registered on title means that any member of the public has the right to rely on it as a valid interest.

Through the land titles assurance fund, the Government of Yukon indemnifies anyone who suffers a loss because of an error on the title. This means that the Land Titles staff must check and re-check the accuracy and completeness of documents filed before finalizing title or registering documents.

The assurance fund is financed through a system of fees established by statute to be paid for transfers of land. Yukon has the lowest fees for registering land transactions in the country. Fortunately, there have been very few withdrawals from

the fund, only one of which was the result of a claim from a party who suffered a loss.

As the territory has grown, the value and number of transactions processed by the Land Titles Office has increased dramatically over the years and continues to reach historically high levels. In 2011-12, the value of real estate transfers in Yukon increased by 59 percent over the year before. The value continues to increase as the first three quarters of 2012, which are the most recent numbers available, show \$226 million in sales.

In conclusion, the number of documents registered in the Land Titles Office has also increased. Yukon is registering over 7,500 documents annually. Moreover, the nature and complexity of the documents are increasing due to the new and complex instruments being registered as part of the title process.

Our legislation requires a manual, paper-based system for keeping track of registered parcels of land. Being out of date, our registration practices are onerous for citizens to use and they are faced with excessive delays in processing transactions. I thank the members opposite for their questions.

**Ms. Moorcroft:** I thank the minister for his response. My next question relates to the responsibilities of the minister in that he is charged with the administration of several acts, and we have had some discussion in general debate already about the fact that the government will be conducting a review of the *Coroners Act*.

I would like to ask the minister whether he and his department have any other statutes that he is responsible for that they are considering reviewing and proposing amendments to.

**Some Hon. Member:** (Inaudible)

## INTRODUCTION OF VISITORS

**Hon. Ms. Taylor:** I would just like to ask all members to extend a warm welcome to my mom, Dianna Raketti, who has joined us here from the Town of Watson Lake. Welcome.

*Applause*

**Hon. Mr. Nixon:** To be very brief in my answer, currently the *Land Titles Act* and the *Condominium Act* are under review, as we know. Other potential acts will be reviewed and announced at later dates.

**Ms. Moorcroft:** My next question for the minister is in relation to the communications expenditures for the department. Can the minister tell us what the total budget for communications is for the Department of Justice?

**Hon. Mr. Nixon:** Within the Department of Justice communications, currently we have one funded position, which is an AR14. We also have one unfunded position, which is an AR14. They have approximately, within that segment, about \$28,000 available for advertising and printing. But there are other funds available throughout the department of approximately \$150,000 for additional publications, printing and so on.

**Ms. Moorcroft:** So is the minister saying \$178,000? My subsequent question would be this: What are the costs and expenditures of the personnel positions? I believe there's a director of communications as well. So what is the cost for per-

sonnel and the total operation and maintenance cost for the communications function within the department?

**Hon. Mr. Nixon:** For the two positions, plus the director of communications, without exact figures, we're looking at about \$275,000 a year.

**Mr. Silver:** I'd like to thank the officials from the department for showing up today. I know their time is very valuable, and we appreciate them being here to help the minister with some answers. I'd also like to thank the Member for Copperbelt South. She has done a very thorough job over the last day, so I've limited my questions to just a few items.

I want to speak a little bit about the policy the Justice department has when dealing with prisoners who go on hunger strikes while at Whitehorse Correctional Centre — if the minister could just explain the protocol.

He has supplied me with a written document to that extent, but I just wanted to go over what is the actual tipping point that would make the government go into action?

**Hon. Mr. Nixon:** I thank the member opposite for his question. This is definitely an area we have been paying quite a lot of attention to over the last six months or so.

The Whitehorse Correctional Centre has a policy and it has protocols to assess and manage the health of inmates who choose to limit their consumption of solid foods. This care includes ongoing assessments and education for the inmate completed by medical personnel, psychiatric personnel, counselors, elders, staff and management at WCC. Any person may at any time refuse medical care or refuse to eat solid food. Only if a person becomes physically unable or incompetent to make decisions about their medical care may the government intervene to take measures on their behalf.

Now, the Whitehorse Correctional Centre ensures that an inmate is assessed for any medical needs up to four times a day by the nursing unit. If an escort is needed or requested for an inmate to attend the hospital, Whitehorse Correctional Centre staff calls emergency medical services, which undertake assessment and provide a safe and secure transport if it is required.

Daily assessments of inmates limiting consumption of food include the amount of food or liquid consumption. It includes any medical or supplements provided. It includes an assessment of vitals — so blood pressure, pulse, weight and mental state. The Whitehorse Correctional Centre nurses ensure that the Whitehorse Correctional Centre physician, supervisors and management are made aware of the inmate's status on a daily basis.

I think that answers the question for the member opposite.

**Mr. Silver:** There was \$80,000 for emergency repairs at WCC. Could the minister explain that number?

**Hon. Mr. Nixon:** The \$80,000 is for annual ongoing emergency repair services that goes into the budget. It's utilized on an as-needed basis for a variety of different components that may come up at WCC.

**Mr. Silver:** Was there anything specific on these repairs?

**Hon. Mr. Nixon:** Not this year. Everything would still be under warranty from the new construction.

**Mr. Silver:** I appreciate the answer. There was also an issue with heating. Was the heating issue at WCC resolved?

**Hon. Mr. Nixon:** I thank the member opposite for his question. I'm going to defer that question to the Minister of Highways and Public Works, as that's their area of expertise and responsibility within the correctional centre.

**Mr. Silver:** I just got a thumbs-up from the member opposite. I just have one more question related to Whitehorse Correctional Centre. Could the minister provide or comment on the nutritional value of the meals at the correctional centre?

**Hon. Mr. Nixon:** Madam Chair, the Whitehorse Correctional Centre has a four-week rotation menu. The menu for Monday to Friday consists of breakfast, lunch, and dinner. The weekend menu for Saturday and Sunday and holidays is a brunch, then a light lunch and dinner. Meals at the Whitehorse Correctional Centre include fruits, vegetables, grains and proteins consistent with the Canada Food Guide. Whitehorse Correctional Centre provides traditional foods, including fish, bison, chowder and bannock. Traditional foods are also served during solstice celebrations. The rotational menu ensures that traditional foods are served throughout the month as well.

Menu reviews occur as an ongoing component of correctional centre business. The last review was undertaken in 2008, and the current review began in May 2012.

The current review has included a cross-jurisdictional survey of institutions across Canada to enable comparisons between the Whitehorse Correctional Centre menu and other facilities. The survey gathered information on the types and quantities of traditional foods offered as well as the daily caloric intake. The serving portions were compared to *Canada's Food Guide* standards and the portions of food served to male and female offenders.

The Whitehorse Correctional Centre menu is also analyzed by a dietician who found the following results: all nutrient levels measured were meeting dietary recommendations; calories, fat and carbohydrates may be high for some individuals, depending on their energy needs and activity levels; sodium exceeded recommended levels. The menu is being adjusted to reduce sodium, fat and carbohydrates. Accordingly, this includes no-salt packs, reduced salt in recipes, no salt added in tomato-based recipes and sodium-reduced bases.

While I'm on my feet here, I will table for all members copies of the Whitehorse Correctional Centre menus for the four-week rotation so they have those for their information.

**Mr. Silver:** Thank you to the Minister of Justice for the tabled documents. I do have one more question about the new facility. There was an increase of \$460,000 to fund increased operational costs at the new facility. I was just wondering if the minister can review these. Are these costs above expected operational costs? What is the annual operating cost? What was the operating cost of the old facility in comparison?

**Hon. Mr. Nixon:** I thank the member opposite for his question. In making the transition from the old facility to the new facility, there were a number of additional costs including, but not limited to, things like additional food expenses for higher a number of inmates; an increase in utilities because it's a much larger facility with more opportunities and a larger

space overall; as well as some additional expenses for new staffing because we have a different model of staffing there.

The overall increase is due to an additional \$460,000, as the member opposite had indicated, that was allocated to WCC to cover increased costs of food, prescription drugs, inmate pay, dental and electricity due to the increased size and inmate count of the new facility; an increase of \$2,000 to fund increased fuel costs for our vehicle use and a transfer of unused funds totalling \$54,000 from the adult residential centre to the Whitehorse Correctional Centre to fund computer access to the Canadian Police Information Centre.

I think that answers the member's question.

**Mr. Silver:** I apologize for the nature of these questions, going back and forth between different parts of his department. In terms of circuit court, could the minister provide the House with the number of circuit courts that have been conducted with teleconferenced lawyers compared to the lawyers actually being able to show up in the communities? This is an issue that has been brought to my attention on several occasions — and also maybe provide us with the number of circuit courts that were cancelled forthright.

**Hon. Mr. Nixon:** I thank the member opposite for his question. The member will likely know that there is circuit court happening within his region as we speak, but as far as statistics on cancellations and so forth, I will commit to get back to the member with those numbers.

**Mr. Silver:** I just have one more question. I'm not sure if I'm going to get much from this — it's just a slight question. What role, if any, is this department playing in the upgrade to the Yukon's 911 services? I know that it is mostly in Community Services, but I'll just leave it at that.

**Hon. Mr. Nixon:** I think it's important at this time that I do thank the Minister of Community Services for her work with the 911 system, as our role in this is that we pay for it. So the 911 service is paid for through the Department of Justice.

**Mr. Silver:** Then I have two questions based upon that answer. How much is the department paying for the current service? Does the department believe that the 911 services should be upgraded to involve the communities?

**Hon. Mr. Nixon:** We are just looking for the information here, but we believe that the number is around \$90,000. For the second part of the member's question, I will defer to the Member of Community Services.

**Chair:** Is there any further general debate? We will proceed line by line.

We will start on page 15-7, Management Services.

*On Management Services*

*On Operation and Maintenance Expenditures*

**Ms. Moorcroft:** I would like to ask the minister to read into the record for us the breakdown of the \$3,091,000 for Management Services.

**Hon. Mr. Nixon:** The overall increase of \$206,000 is due to additional funding of \$135,000 allocated to corporate services to permanently staff an additional HR advisor and assist in funding a health and safety coordinator; also, \$74,000 was transferred from the records program improvement initia-

tive project. Highways and Public Works is to fund an additional departmental records officer, along with the long-term disability increases offset by staffing vacant positions at a lower rate of pay. Management group cash bonus and benefit costs and RCA rate decreased, for a net reduction of \$3,000.

**Chair:** Is there any further debate on Management Services? We're going to delve down a little bit into the meat of this department, then.

*On Management Services*

*Management Services in the amount of \$3,091,000 agreed to*

*Management Services Operation and Maintenance Expenditures in the amount of \$3,091,000 agreed to*

*On Capital Expenditures*

*On Information Technology Equipment and Systems*

**Ms. Moorcroft:** Could I get a breakdown for this amount, please?

**Hon. Mr. Nixon:** This includes all information systems planning related activities, such as development and updating of the department's information systems plan, or ISP, and the subsequent lower level opportunity studies and elaboration phase of projects that are derived from that ISP. Justice follows the ICT object-oriented analysis and design methodology and places a strong emphasis on sound information systems and planning.

Information systems development projects at the construction phase will result in the delivery of an operational information system.

For the 2013-14 fiscal year, the systems development component will continue to focus on the replacement of the court registry information system. With a budget of \$612,000, the CRIS replacement project is now in phase 2 of a multi-year project, which will result in a new system that will operate independently of the YTG mainframe system and will provide an integrated Justice information system for both civil and criminal data that meets the department's business and system requirements.

*Information Technology Equipment and Systems in the amount of \$666,000 agreed to*

*On Building Maintenance, Renovations and Space*

**Ms. Moorcroft:** I note that for 2012-13 the estimate was \$261,000, but the forecast is \$650,000.

I would like the minister to explain if that was completely for the Whitehorse Correctional Centre expenditures and if he could provide a little information about that. I note that the amount is \$30,000 in the current budget. Could he just give us a breakdown and indicate how much, if any, of that is for the new Whitehorse Correctional Centre?

**Hon. Mr. Nixon:** Before I answer that question, I just want to get back to the 911 question that the Member for Klondike was asking about — the approximate budget. I was a little off on my numbers. The number for the annual cost is \$219,000.

In answering the question from the member opposite, the total increase is \$7,000 for the 2013-14 fiscal year. The approved ongoing funding is \$7,000 for the Department of Justice's increases in fuel costs. This is a part of a government-

wide fuel cost adjustment to provide fair adjustments to departments to approximately rebase their respective budget allocations for fuel and fuel-related products.

The allocation to Justice is broken down as follows: Court Services, \$2,000; Correctional Services, \$2,000; Victim Services and Community Justice, \$1,000; Public Safety and Investigations, \$2,000.

The total cost for building maintenance and renovations is \$30,000 for the 2013-14 fiscal years. Ongoing building maintenance and renovations are required to maintain buildings and preserve government assets to ensure that facilities and buildings meet current standards for safety, comfort, energy efficiency and impact on the environment, as well as so that the operation and maintenance program operates efficiently and effectively.

The 2013-14 budget requests include renovations to the HR unit to provide for an enclosed office for an additional HR advisor, as well as testing space for job candidates.

The total cost for office furniture and equipment is \$56,000 for the 2013-14 fiscal year. That request includes the following: \$24,000 for the replacement photocopier for the Whitehorse court registry; \$4,000 for the replacement photocopier for the Watson Lake court registry; \$8,000 for a replacement photocopier for the maintenance enforcement program; \$8,000 for a replacement photocopier for the Land Titles Office —

**Chair:** Order. Mr. Nixon, you appear to be speaking to “Office Furniture and Equipment”, when we are on “Building Maintenance, Renovations and Space”.

Are you finished with Building Maintenance, Renovations and Space?

**Hon. Mr. Nixon:** Yes.

**Ms. Moorcroft:** I would just like to come back and ask the minister whether his officials have any information with them to respond to my question regarding the increase of almost \$400,000 in the 2012-13 budget for Building Maintenance, Renovations and Space.

**Hon. Mr. Nixon:** Madam Chair, could the member opposite refer to which line she’s referring to, please?

**Ms. Moorcroft:** On the line item Building Maintenance, Renovations and Space, the estimate for 2013-14 is \$30,000 and comparing that to the amounts that are indicated — for 2012-13, the estimate for Building Maintenance, Renovations and Space was \$261,000, and the forecast is \$650,000. So my question: What happened that is resulting in that increase — the forecast of \$650,000, as opposed to the estimate of \$261,000?

**Hon. Mr. Nixon:** I thank the member opposite for her question. We’re going to have to get back to the member opposite on that particular question.

**Ms. Moorcroft:** I would be satisfied with a legislative return, if the minister could get back to me with that information.

*Building Maintenance, Renovations and Space in the amount of \$30,000 agreed to*

*On Office Furniture and Equipment*

*Office Furniture and Equipment in the amount of \$56,000 agreed to*

*Management Services Capital Expenditures in the amount of \$752,000 agreed to*

*Management Services Total Expenditures in the amount of \$3,843,000 agreed to*

*On Court Services*

*On Operation and Maintenance Expenditures*

*On Court Administration*

**Ms. Moorcroft:** Could the minister provide a breakdown for this line item, please?

**Hon. Mr. Nixon:** There is no change from last year’s budget on this line item.

*Court Administration in the amount of \$964,000 agreed to*

*On Court Operations*

**Ms. Moorcroft:** I’d like to ask the minister to provide a breakdown of the expenditures for Court Operations in the amount of \$4,510,000.

**Hon. Mr. Nixon:** There was a one-percent increase — \$86,000 — from the 2012-13 forecast.

There was also a six-percent increase of \$264,000 from the 2012-13 estimates.

The increase was due to additional funds being allocated as a result of the Judicial Compensation Commission, or JCC — an increase of \$169,000, along with a long-term disability increase, partially offset by a management group cash bonus and benefit cost and RCA decreases, for an overall net increase of \$94,000. For Other, there was an increase of \$2,000 allocated for fuel expense for circuit court travel, \$9,000 for the JCC increase, offset by a reduction of \$10,000 allocated for French language training for the judiciary.

*Court Operations in the amount of \$4,510,000 agreed to*

*On Sheriff*

*Sheriff in the amount of \$535,000 agreed to*

*On Maintenance Enforcement*

*Maintenance Enforcement in the amount of \$524,000 agreed to*

*On Witness Administration*

*Witness Administration in the amount of \$142,000 agreed to*

*On Yukon Review Board*

*Yukon Review Board in the amount of \$59,000 agreed to*

*Court Services Operation and Maintenance Expenditures in the amount of \$6,734,000 agreed to*

*On Capital Expenditures*

*On Court Services Furniture and Equipment*

*Court Services Furniture and Equipment in the amount of \$41,000 agreed to*

*Court Services Capital Expenditures in the amount of \$41,000 agreed to*

*Court Services Total Expenditures in the amount of \$6,775,000 agreed to*

*On Legal Services*

**Chair:** Page 15-10 — Legal Services. Is there any debate?

**Ms. Moorcroft:** As we turn to the Legal Services branch, I would like to express my thanks to the staff in Legal



Services and to the good work that they do in providing legal service to all government departments. There are a number of branches of the legislative counsel, and there is also always an expenditure for Outside counsel. I recognize that amount changes depending on the nature of cases that the government is handling and whether there may be conflicts of interest. Can the minister tell us how many files there are presently that require Outside counsel?

**Hon. Mr. Nixon:** We'll have to get back to the member opposite on that question.

**Ms. Hanson:** I just have a couple of questions with respect to — I notice that Natural Resources and Environmental Law Group that the actual expenditures in 2010-11 were \$453,000 and went up to \$621,000, and now \$751,000 is the forecast.

Could the minister delineate what it is that's intended to be expended upon and why the increase of almost \$300,000 over two years?

**Hon. Mr. Nixon:** There was an increase due to long-term disability cost increases, partially offset by decreases of management group cash bonus and benefit cost, for a net increase of \$16,000.

**Ms. Hanson:** I'm speaking of an increase of \$298,000 over 2010-11 actuals. Surely these colleagues could buy their own doughnuts for lawyers, so I don't think \$298,000 is necessary. Could the minister just explain what the \$298,000 increase over two years represents?

**Hon. Mr. Nixon:** I'm under the impression that the member opposite is talking about 2010 numbers, and I don't have those right in front of me at this point, so I will have to get back to the member opposite.

**Ms. Hanson:** Then, if the minister would look at the \$130,000 increase over 2011-12; he has those numbers in front of him.

**Hon. Mr. Nixon:** There was, we believe, an increase for an FTE, but we're going to have to take the member's question and get back to her with a more specific answer.

**Chair:** We are going to proceed to line-by-line under Legal Services.

#### ***On Operation and Maintenance Expenditures***

##### *On Assistant Deputy Minister's Office*

**Ms. Hanson:** Again, I just note that's a \$90,000 increase over the 2011-12, and it's significantly more than that over 2010-11. Does that mean an increase in FTEs? It certainly isn't just long-term disability that we're accounting for here.

**Hon. Mr. Nixon:** I'm just looking at — the member seems to be looking at the 2013-14 estimate over the 2012-13 forecast. That's the \$16,000 that I spoke to, which was an increase due to long-term disability costs, partially offset by decreases of management group cash bonuses and benefit costs for the net increase of \$16,000.

**Some Hon. Member:** (Inaudible)

### **INTRODUCTION OF VISITORS**

**Chair:** Mr. Pasloski, on a point of order.

**Hon. Mr. Pasloski:** I just would like to ask the indulgence of the House to introduce some people who just joined

us — Mr. Michael Lauer and his two twin sons, Simon and Joshua. I encourage everybody to welcome them to the House.

*Applause*

**Ms. Hanson:** Madam Chair, I was not in fact referring to the forecast or the estimate; I was looking at the actuals for 2011-12 and referring to the actuals for 2010-11. I'm noting a tendency for significant increases in each of these line items that I've identified over a course of two or three years, and I'm simply asking for an explanation.

I understand that we've been briefed — that there are long-term disability implications for all departments. I'm not talking about the \$16,000 increase that the minister may be referencing. It looks to me — and I'm asking for corroboration whether or not we're looking at additional FTEs or what?

**Hon. Mr. Nixon:** I think I've committed about three or four times now to get back to the member opposite on this particular issue, and I'm still committing to do that, so I will get back to the member opposite.

*Assistant Deputy Minister's Office in the amount of \$731,000 agreed to*

##### *On Solicitors' Group*

**Ms. Moorcroft:** I see there is a \$166,000 increase in this line item from last year. Could the minister explain that, please?

**Hon. Mr. Nixon:** The increase is due to the transfer budget of \$172,000 from the procurement governance office, Highways and Public Works, for Justice to hire an additional lawyer to support the establishment of the procurement governance office, partially offset by increases to long-term disability costs and decreases of management group cash bonus and benefit costs for a net decrease of \$6,000.

##### *Solicitors' Group in the amount of \$675,000 agreed to*

##### *On Natural Resources and Environmental Law Group*

*Natural Resources and Environmental Law Group in the amount of \$751,000 agreed to*

##### *On Legislative Counsel*

*Legislative Counsel in the amount of \$822,000 agreed to*

##### *On Litigation Group*

*Litigation Group in the amount of \$918,000 agreed to*

##### *On Aboriginal Law Group*

*Aboriginal Law Group in the amount of \$147,000 agreed to*

##### *On Litigation Costs/Judgements*

*Litigation Costs/Judgements in the amount of \$6,000 agreed to*

##### *On Outside Counsel*

*Outside Counsel in the amount of \$74,000 agreed to*

##### *On Community Legal Support*

**Ms. Moorcroft:** I would like to ask the minister for a breakdown of this line item, as I believe it relates to provision of legal aid services. I also would like to ask him to address where the Yukon stands in relation to other jurisdictions on per capita funding and coverage for legal aid services.

**Hon. Mr. Nixon:** Thank you, Madam Chair, and I thank the member opposite for her question. In fact, Yukon is

the third highest in funding, per capita, within Canada on legal aid.

Specific to this item, there is a decrease of a one-time increase of \$200,000 allocated in the 2012-13 fiscal year to assist Legal Aid with costs associated with the Larue and Asp murder trials. The costs for these trials could not be covered through Legal Aid's current core funding. The overall decrease is slightly offset by an ongoing increase of \$20,000 allocated to Legal Aid's operations budget. This represents an increase of 2.75 percent to the Yukon government contribution to the Yukon Legal Services Society.

*Community Legal Support in the amount of \$2,056,000 agreed to*

***Legal Services Operation and Maintenance Expenditures in the amount of \$6,180,000 agreed to***

***Legal Services Total Expenditures in the amount of \$6,180,000 agreed to***

***On Regulatory Services***

**Chair:** Is there any debate?

**Ms. Moorcroft:** I've asked most of the questions I have in general debate on the department, but I would like the minister, if he could, to give us the amount of funds that are provided to the Yukon Workers' Compensation Health and Safety Board to support the provision of mine safety services.

**Hon. Mr. Nixon:** We don't have the exact number in front of us right now, but it's approximately in the \$350,000 ballpark.

**Chair:** Is there any further debate on Regulatory Services?

***On Operation and Maintenance Expenditures***

***On Occupational Health and Safety***

***Occupational Health and Safety in the amount of \$330,000 agreed to***

***On Public Guardian and Trustee***

***Public Guardian and Trustee in the amount of \$512,000 agreed to***

***On Land Titles***

***Land Titles in the amount of \$530,000 agreed to***

***On Yukon Utilities Board***

***Yukon Utilities Board in the amount of \$255,000 agreed to***

***Regulatory Services Operation and Maintenance Expenditures in the amount of \$1,627,000 agreed to***

***Regulatory Services Total Expenditures in the amount of \$1,627,000 agreed to***

***On Correctional Services***

**Ms. Moorcroft:** We did canvass some issues in general debate on Correctional Services, I have observed in the newspaper advertisements for expressions of interest to deliver First Nations programming.

I'd like to ask the minister if there has been any recruitment and what new programs may have been developed for First Nation inmates and, if there are none, when they think they might have some new programming.

**Hon. Mr. Nixon:** There are a number of First Nation program options available at Whitehorse Correctional Centre, including beading, carving, crafts, drum making, traditional foods and traditional medicines. First Nation offenders also

take part in the traditional activities, such as elders counselling, spiritual guidance, talking circles and traditional crafts. Most recently, interested offenders have been participating in a traditional language program for Southern Tutchone. Other language programs are also being explored at this time. The Whitehorse Correctional Centre also offers spiritual services and cultural celebrations, such as solstice gatherings, smudges and feasts.

Whitehorse Correctional Centre has worked with First Nation staff, the elders advisory committee, the community advisory board and inmate representative committee members to develop a First Nation programming strategy. The first phase of this project was to consult on ideas for cultural programming that could be offered at the Whitehorse Correctional Centre. The next stage of the project will examine the priority, feasibility and resource requirements for implementing these program recommendations. Once that analysis is complete, the last step will be the development of a program implementation plan.

**Ms. Moorcroft:** I have follow-up questions. The first one is whether the minister and the department characterize an inmate's visit with an elder as programming. My second question, to follow up on the minister's response, is whether phase 1, the consultation on First Nation programming, is complete, and what the timelines are for phase 2, where they do some work on analysis and feasibility and then leading into phase 3 of the implementation.

Does the minister have some targets for when this will be completed?

**Hon. Mr. Nixon:** Madam Chair, phase 1 will be completed this fiscal year. These types of initiatives — when we're looking at programming offered at WCC regardless of what kind of programming it is — are ongoing so we're always looking at different options.

The member opposite asked about inmates visiting with elders. That is considered part of programming for that inmate.

**Ms. Moorcroft:** Does the minister have a goal as to when he would like to see the analysis on the consultation they've done on programming completed and when they hope to implement any new programming?

**Hon. Mr. Nixon:** We expect to have the preliminary results this year. As I mentioned in my previous statement, the programming at the Correctional Centre is looked at as a living document — a living, breathing thing. So things change. Things are added; things are reduced or removed depending on the needs of the inmates.

While I'm on my feet, I'll get back to the mine safety number that the member opposite was looking for. I was close; it was \$329,500.

***On Operation and Maintenance Expenditures***

**Chair:** We're going to move into Correctional Services.

***On Program Director***

***Program Director in the amount of \$432,000 agreed to***

***On Offender Supervision and Services Unit***

***Offender Supervision and Services Unit in the amount of \$1,874,000 agreed to***

***On Institutional Facilities***

*Institutional Facilities in the amount of \$10,636,000 agreed to*

*On Community Residential Centre*

*Community Residential Centre in the amount of \$650,000 agreed to*

*On Community Wellness Court*

*Community Wellness Court in the amount of \$473,000 agreed to*

***Correctional Services Operation and Maintenance Expenditures in the amount of \$14,065,000 agreed to***

***On Capital Expenditures***

*On Correctional Facilities Renovations*

*Correctional Facilities Renovations in the amount of \$80,000 agreed to*

*On Arrest Processing Unit*

**Ms. Moorcroft:** I did have some questions in general debate on this expenditure. The minister suggested that I follow up with the Minister of Highways and Public Works as to when the tenders might be ready to go out.

I wasn't able to get an answer from the Minister of Highways and Public Works on that, so my first question will be whether the Minister of Justice has an idea of when the tenders might be ready for the arrest processing unit for this line item that budgets \$3.086 million.

Secondly, in general debate, the minister was saying that they had done a review and they had changed the nature and the scope of the project somewhat. I wanted to ask the minister if he could provide a little more information about what changes had been made to the capital expenditure for the arrest processing unit in terms of design.

**Hon. Mr. Nixon:** After some discussion with the Minister of Highways and Public Works on the tendering process, right now we are looking at late spring/early summer — provided that that ever comes.

To finalize the construction of the APU at the Whitehorse Correctional Centre, to address issues of concern relating to intoxicated individuals in police custody, the gross building area of the newly constructed APU will be 215 square metres with a capacity to hold 25 persons. An estimated completion date has been targeted for the end of this calendar year.

*Arrest Processing Unit in the amount of \$3,086,000 agreed to*

*On Prior Years' Projects*

*Prior Years' Projects in the amount of nil cleared*

***Correctional Services Capital Expenditures in the amount of \$3,166,000 agreed to***

***Correctional Services Total Expenditures in the amount of \$17,231,000 agreed to***

**Chair:** Moving on to page 15-18, Community Justice and Public Safety Division. Is there any debate?

***On Community Justice and Public Safety Division***

***On Operation and Maintenance Expenditures***

*On Assistant Deputy Minister's Office*

*Assistant Deputy Minister's Office in the amount of \$600,000 agreed to*

*On Worker Advocate*

*Worker Advocate in the amount of \$422,000 agreed to*

*On Chief Coroner*

*Chief Coroner in the amount of \$308,000 agreed to*

***Community Justice and Public Safety Division Operation and Maintenance Expenditures in the amount of \$1,330,000 agreed to***

***Community Justice and Public Safety Division Total Expenditures in the amount of \$1,330,000 agreed to***

***On Victim Services and Community Justice***

***On Operation and Maintenance Expenditures***

*On Program Director*

*Program Director in the amount of \$340,000 agreed to*

*On Victim Services*

*Victim Services in the amount of \$1,148,000 agreed to*

*On Community Justice Projects*

*Community Justice Projects in the amount of \$526,000 agreed to*

***Victim Services and Community Justice Operation and Maintenance Expenditures in the amount of \$2,014,000 agreed to***

***Victim Services and Community Justice Total Expenditures in the amount of \$2,014,000 agreed to***

***On Public Safety and Investigations***

**Chair:** Is there any debate?

**Ms. Moorcroft:** I would just like to follow up on some of the discussion that the minister and I had in general debate on the Department of Justice. I had put on the record a number of questions related to training within the RCMP. We also spoke about the new protocol that has been signed off between the Liard Aboriginal Women's Society and the Watson Lake RCMP. I would like to ask the minister, if he doesn't have the information with him today, to commit to coming back with a legislative return.

My first question is whether the Watson Lake protocol between the RCMP and the Liard Aboriginal Women's Society will be adopted as a best practice and whether the RCMP and the Government of Yukon are committed to continuing the work that was begun through the Together for Justice project. Initially that work had the intent of also developing a protocol for the Whitehorse division of the RCMP between a number of women's groups that have been involved in this initiative. I'd like the minister to get back and let us know whether he does intend for the safety protocol that was reached in Watson Lake to become a best practice that they would look to emulate in Whitehorse and potentially other Yukon communities.

**Hon. Mr. Nixon:** In 2012 the RCMP M Division became the first division to pilot a new national on-line training course on intimate-partner violence. It's a mandatory course for all members of the division, including those transferring into the division. In addition to that M Division has created a new training workshop for the division, which has been offered once so far with additional offerings being planned.

This workshop complements and augments the national course with specific information on territorial legislation pertaining to domestic violence and presentations from community partners on their mandates and how to work in partnership to provide a service to clients. The SRU, or the specialized response unit, possesses specialized training and an enhanced

knowledge of investigation techniques and specific responses appropriate to sexualized assault and domestic abuse. The unit provides guidance, assistance and oversight to detachment members who are conducting domestic violence and sexualized assault investigations. It will act as a lead for investigators into domestic violence and sexualized assault investigations, where specialized services are required. In addition, the SRU will identify training and divisional needs related to domestic violence and sexualized assault. This unit will work with service providers and key stakeholders for enhanced inter-agency collaboration and consistency in response across Yukon.

If I can just speak for a moment about the TPSA with regard to the RCMP, they will indeed remain our police service of choice as that agreement has been signed through now until 2032. Yukon will continue to work closely with the RCMP to ensure we have a professional, effective and efficient territorial police service that is responsive to the needs of all Yukon communities. The new agreement establishes stronger accountability and governance measures which should reinforce and strengthen the progress made as a result of the *Review of Yukon's Police Force*.

Under the previous agreement, many of the concerns that arose were around cost containment and accountability. Under the new agreement, there is stronger governance and accountability, including financial accountability mechanisms built in place. In the first year of implementation, we have begun to see a greater transparency and better information coming forward from the RCMP M Division and the RCMP nationally. This provides for more open communication on decisions that affect the cost and quality of police services and ensures Yukon is getting value for money in terms of the territorial policing budget.

We're always interested in working with communities and community groups such as the Liard Aboriginal Women's Society and getting a stronger place in working with the RCMP. We will certainly be observing how the agreement works in practice and it may provide a model for future agreements. We'll certainly continue to have ongoing discussions with the RCMP to ensure that the RCMP and the communities that they serve work together to improve police services.

**Ms. Moorcroft:** Thank you, Madam Chair, and I would like to thank the minister for his answers. The other question that I had asked the minister to discuss with the RCMP and to see if he could provide information relates to statistics on crimes of violence against women in the Yukon. The particular question that I had asked him to try and get an answer from the RCMP for was how many sexual assaults have been reported in the Yukon over the previous year.

I would also like to know that the RCMP will be tracking and reporting that information. The final request I had was to know the number of sexual assaults that were reported and, of those, how many were determined by the police to be unfounded?

**Hon. Mr. Nixon:** The police report on crime statistics actually comes out in July. So we don't have those stats in front of us. We'll have to wait a couple of months.

***On Operations and Maintenance Expenditures***

*On Director*

*Director in the amount of \$358,000 agreed to*

*On Safer Communities and Neighbourhoods*

*Safer Communities and Neighbourhoods in the amount of \$369,000 agreed to*

*On Police Services*

*Police Services in the amount of \$24,675,000 agreed to*

***Public Safety and Investigations Operation and Maintenance Expenditures in the amount of \$25,402,000 agreed to***

***On Capital Expenditures***

*On Operational Equipment*

*Operational Equipment in the amount of \$8,000 agreed to*

***Public Safety and Investigations Capital Expenditures in the amount of \$8,000 agreed to***

***Public Safety and Investigations Total Expenditures in the amount of \$25,410,000 agreed to***

***On Human Rights***

**Chair:** Is there any general debate?

**Ms. Moorcroft:** I am standing to ask this question in Human Rights, although I should have asked it earlier — I think under Regulatory Services. I'm noting in the revenues under Regulatory Services that the land titles fees actual for 2011-12 was \$371,000 and that for 2012-13 the forecast is \$240,000, as is the 2013-14 estimate at \$240,000.

If the minister doesn't have the information with him, could he get back to me to explain why there was this significant reduction from \$371,000 in 2011-12 to \$240,000 in 2012-13 and 2013-14?

**Hon. Mr. Nixon:** That number is really reflected on turnover; it's reflected on market values; it's reflected on the number of transactions that happen because of the fees that are involved within the Land Titles Office. So the market stabilized and therefore there has been a reduction.

***On Operation and Maintenance Expenditures***

*On Human Rights Commission*

*Human Rights Commission in the amount of \$567,000 agreed to*

*On Human Rights Adjudication Board*

*Human Rights Adjudication Board in the amount of \$98,000 agreed to*

***Human Rights Operation and Maintenance Expenditures in the amount of \$665,000 agreed to***

***Human Rights Total Expenditures in the amount of \$665,000 agreed to***

*On Revenues*

*Revenues cleared*

*On Government Transfers*

*Government Transfers cleared*

*On Changes in Tangible Capital Assets and Amortization*

*Changes in Tangible Capital Assets and Amortization cleared*

***Department of Justice agreed to***

**Hon. Mr. Cathers:** Madam Chair, seeing the time, I move that the Chair report progress.

**Chair:** It has been moved by Mr. Cathers that the Chair report progress.

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

### **Chair's report**

**Ms. McLeod:** Mr. Speaker, Committee of the Whole has considered Bill No. 10, entitled *First Appropriation Act, 2013-14*, and directed me to report progress.

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

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

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

*Motion agreed to*

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

*The House adjourned at 5:25 p.m.*