



Yukon Legislative Assembly

Number 157

1st Session

33rd Legislature

HANSARD

Tuesday, May 13, 2014 — 1:00 p.m.

Speaker: The Honourable David Laxton

YUKON LEGISLATIVE ASSEMBLY

SPEAKER — Hon. David Laxton, MLA, Porter Creek Centre

DEPUTY SPEAKER — Patti McLeod, MLA, Watson Lake

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Hon. Elaine Taylor	Whitehorse West	Deputy Premier Minister responsible for Education; Women's Directorate; French Language Services Directorate
Hon. Brad Cathers	Lake Laberge	Minister responsible for Community Services; Yukon Housing Corporation; Yukon Liquor Corporation; Yukon Lottery Commission Government House Leader
Hon. Doug Graham	Porter Creek North	Minister responsible for Health and Social Services; Yukon Workers' Compensation Health and Safety Board
Hon. Scott Kent	Riverdale North	Minister responsible for Energy, Mines and Resources; Yukon Energy Corporation; Yukon Development Corporation
Hon. Currie Dixon	Copperbelt North	Minister responsible for Economic Development; Environment; Public Service Commission
Hon. Wade Istchenko	Kluane	Minister responsible for Highways and Public Works
Hon. Mike Nixon	Porter Creek South	Minister responsible for Justice; Tourism and Culture

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Stacey Hassard	Pelly-Nisutlin
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Jan Stick	Official Opposition House Leader Riverdale South
Kevin Barr	Mount Lorne-Southern Lakes
Lois Moorcroft	Copperbelt South
Jim Tredger	Mayo-Tatchun
Kate White	Takhini-Kopper King

Liberal Party

Sandy Silver	Leader of the Third Party Klondike
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Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, May 13, 2014 — 1:00 p.m.

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

Prayers

DAILY ROUTINE

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

Tributes.

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pasloski: Thank you, Mr. Speaker. I would like to ask all members of the House to join me today in welcoming Mrs. Renate Schmidt and her class of grade 10 social studies students from Porter Creek Secondary School who are here today to partake in our daily routine and learn a little bit about what we do down here every day and a little bit about democracy.

I invite everybody to join me in welcoming them here today.

Applause

Mr. Tredger: I would like to welcome John Reid, a neighbour of mine and former vice-principal at Porter Creek Secondary School, to the gallery.

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 motions?

NOTICES OF MOTIONS

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

THAT this House urges the Yukon government to conduct a public review of the Yukon *Liquor Act* and related legislation and regulations by:

(1) establishing a committee comprised of representatives from the tourism and hospitality industries, the Whitehorse and Yukon chambers of commerce, the Yukon Liquor Corporation and key community stakeholders; and

(2) mandating the committee to:

(a) review best practices elsewhere in Canada; and

(b) consider and make recommendations with respect to:

(i) options for implementing wholesale pricing of alcohol for food and beverage outlets;

(ii) options for changes to regulations required to enable the seasonal service of alcoholic beverages in sidewalk cafés;

(iii) regulating the establishment and operation of microbreweries in Yukon;

(iv) corkage fees;

(v) pricing and packaging options for high-volume selections of the restaurant and hospitality sector; and

(vi) other matters identified as a result of the public review process.

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

THAT the Yukon government introduce amendments to the *Evidence Act* to reflect marriage equality for same-sex couples.

I also give notice of the following motion:

THAT the Yukon government introduce amendments to the *Land Titles Act* to reflect marriage equality for same-sex couples.

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

THAT this House urges the Minister of Environment, with his new powers under the amended *Environment Act*, to ban the use or sale of neonicotinoids in Yukon in order to protect the populations of pollinating species.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to direct the Yukon Liquor Corporation to work cooperatively with other government departments and festival organizers to ensure the successful hosting of Yukon's first annual beer festival in the fall of 2014.

Speaker: Is there a statement by a minister?

This brings us to Question Period.

QUESTION PERIOD

Question re: Diesel to liquefied natural gas generator conversion

Ms. Hanson: In its public relations campaign for the Whitehorse diesel to liquefied natural gas conversion project, Yukon Energy Corporation has recited some numbers that Yukoners are rightfully questioning. For example, Yukon Energy Corporation says that with their \$40-million plan to switch from using one fossil fuel for backup power to another, Yukon ratepayers will see savings of \$2.7 million a year in 2015, and savings of over \$4 million in 2017. Yukoners have done the math and calculated that, for the corporation's projected savings to be true, Yukon would need to use LNG for much more than what is typically needed for backup power — about 10 times more, in fact.

So with its support of this project, is the government signalling its intention to use LNG not just for backup power needs, but also for future demand?

Hon. Mr. Kent: I thank the member opposite for the question.

As I have mentioned a number of times on the floor of this House, this project is something that came to us recommended by the boards — not only the Yukon Energy Corporation, but also the Yukon Development Corporation. There are two public processes that have not concluded their work yet. One of course is the Yukon Environmental and Socio-economic Assessment Board, which will be assessing any of the adverse environmental or socio-economic effects of this project and recommending mitigations for those effects, where possible.

The other is the Yukon Utilities Board, which is also conducting their review and we have not heard from them. I think it is obviously premature for me to comment until these two public arm's-length boards have reached their conclusions and presented those conclusions to Yukoners.

Ms. Hanson: The Yukon Energy Corporation has also repeatedly stated that LNG is a cleaner fossil fuel than diesel, with respect to greenhouse gas emissions and acceleration of climate change. Yukoners have pointed out again that this is at best wishful thinking. Yukon Energy Corporation is not telling the whole story of fossil fuel impacts because extracting and transportation of fossil fuels are excluded from their comparison.

The full life cycle of a fuel matters. With LNG, methane release is a massive concern that the energy corporation ignores by comparing only the burning stage of the two fossil fuels.

My question is: Why is this government asking Yukoners to settle for incomplete information when it comes to important energy decisions?

Hon. Mr. Kent: The aspect of the project that the Leader of the Official Opposition is talking about is covered through the project scoping that the Yukon Environmental and Socio-economic Assessment Board would do. I believe that the chair of that particular organization mentioned that the extraction would not be part of the scope of the assessment that they were doing.

Again, I will mention that we have not heard the final results of the executive committee's screening for that project nor have we heard the final results for the Yukon Utilities Board hearing of those projects. It's worth repeating that of course those are two arm's-length processes that are independent of government. It's premature for me to comment or speculate on any aspects until we receive those reports from those two organizations.

Ms. Hanson: It's important to note that the minister opposite and the Minister of Economic Development have both made it clear that oil and gas is a priority for this government.

The diesel-to-LNG conversion project is this government's attempt to set up the infrastructure for prolonged dependence on fossil fuels.

Some Hon. Member: (inaudible)

Point of order

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

Hon. Mr. Cathers: Not only is the member wrong, but the member is in contravention of Standing Order 19(g) by imputing motives to another member.

Speaker: The Opposition House Leader, on the point of order.

Ms. Stick: On the point of order, Mr. Speaker, I believe that this is merely a dispute between members.

Speaker's statement

Speaker: I'm concerned about the exact wording because there have been on both sides accusations of false interpretations of the facts as presented. As such, the movement toward being very close to implying a motive has been very close at times. I want to look at the exact wording and I'll give a ruling then, if required.

I will caution all members that to imply that, as a result of an individual's interpretation of the facts — or implying that there is a specific motive to display them in a manner that would lead this House, these members or the general public to be incorrectly informed about a particular motive, is unparliamentary and unacceptable. I'm not saying that that is the case here. I want to look at the exact wording and will give a ruling later.

I believe you still have to ask your final supplementary.

Ms. Hanson: Thank you, Mr. Speaker. Key arguments of Yukon Energy Corporation have been successfully disproven. Yukoners have also expressed safety concerns about the proposed location of the facility. Still more citizens question the speculative numbers about future prices of gas. The media has reported that we have spent \$17 million on this project that has not received regulatory approval. At first, the government spun LNG as a transition fuel. Now it is clear that LNG is the fuel of choice.

Since LNG is not necessarily cheaper or cleaner than diesel to meet backup power needs, what is the driving force behind the Yukon Party press to create dependency on LNG as a fuel?

Hon. Mr. Kent: As I have said previously on the floor of this House, the move to replace the 45-year-old diesels is something that is a responsible thing to do in that it is aging infrastructure.

I have mentioned that I, the Premier and others have toured the facility over there. You can see that looking at the evolution of the diesels in there, you certainly see how much those have come along and how much more efficient those diesels are.

The energy corporation and the development corporation have recommended that we proceed with purchasing LNG-fired plants to provide the backup and meet peak demand. Of course, we're committed to renewables. One only has to look at our long-term vision for next generation hydro and some of the shorter-term visions with respect to the microgeneration and the IPP policies. Although it's a very small percentage of

the power amounts that these backup LNGs meet, it's a very important percentage. This is the power that will keep our lights on and keep our furnaces on in the winter when we have peak demand and when there is not enough renewables to meet that demand.

Question re: Teacher staffing formula

Mr. Tredger: The most critical relationship in the school system is the student-teacher relationship. Our school system needs to prioritize supporting that relationship and allowing it to thrive. However, we have seen the educational bureaucracy growing while teacher-student contact decreases. This strategy is not school- or student-focused. With cuts to school staff, such as teachers and educational assistants, students lose the opportunity to form those key strong connections. We have learned that there are staffing reductions coming to some schools for the next school year. Can the minister tell us how many schools will have school staffing cuts this coming year?

Hon. Ms. Taylor: As I explained to the member opposite in the Assembly yesterday during general debate on Education, there are no cuts — there are no reductions when it comes to teaching professionals, when it comes to our paraprofessionals — whether that is remedial tutors, educational assistants or teachers themselves.

There is a formula when it comes to staffing positions in each of our respective schools and those are delivered on an ongoing basis. Those are determined by way of formula, based on the number of students in each of those schools and based on vulnerabilities.

What I can say is that what we are debating on the floor of the Legislative Assembly when it comes to education is just shy of \$189 million in support of Yukon education. This also comprises some 792 FTEs budgeted, which include teachers, remedial tutors, educational assistants, school librarians, aboriginal language instructors and so forth. There have been no reductions, Mr. Speaker.

Mr. Tredger: It is not how much you spend, but how wisely you spend it. The fact remains that some schools will see a reduction of staff next year. The allocation of staff for schools is a vital part of the school year planning process. The Staffing Allocation Advisory Committee was created to ensure staffing was done in an open and transparent process. The Yukon Teachers Association, administrators, school councils and superintendents were all included in this process. The goal was — and I quote: “To provide school administrators with a timely and transparent staffing allocation process.”

The committee used to meet regularly, but it has not yet met this year. Why hasn't the staffing allocation committee met this year? Why are we going back to the closed-door process of staffing allocations for our schools?

Hon. Ms. Taylor: The member opposite would almost choose to suggest that there is something untoward occurring behind closed doors. I rely on the proficiency and the expertise within the Department of Education to administer the staffing formula, in collaboration with all its

respective stakeholders for the very purpose of putting that staffing formula in place to provide a formal overview as to how resources are to be allocated in each of our schools — again, based on student enrollment in each of those specific schools, including the literacy rates, specific vulnerabilities and special needs of specific students.

I will reiterate it is actually this government that has made great strides in more than doubling the number of educational assistants in our schools. We have increased the number of remedial tutors in our schools. We have increased our teaching professionals. As I mentioned, we're debating \$189 million in support of Yukon education. That is a record level for this government and in Yukon's history in support of education. That includes 792 FTEs, again budgeted, which include teachers, remedial tutors, educational assistants — and the list goes on.

Mr. Tredger: School council participation in school growth plans is vital to the planning process for the school year. However, in order to effectively provide programming input, school councils need to be informed. School councils have the ability to create innovative school plans. They know the specifics of their community and what is necessary within that school. They are a key aspect of community-centred learning.

Unfortunately, without proper data, school councils are not able to fulfill the role they were created for. Why is the minister cutting staff allocations for some schools behind closed doors? When will school councils and communities be informed about their school staffing allocations for the coming school year?

Hon. Ms. Taylor: Again I will have to correct the member opposite for the record. The Government of Yukon is not cutting school staff. There are fluctuations, as we see in student enrollment in each of our respective schools for a whole variety of reasons. Some schools will increase in terms of their student enrollment; some will see reductions in student enrollment as a result of that. Some will see more vulnerabilities among their student learners; some will see less.

There is a staffing formula in place for a very good reason — to provide that transparency and to provide that formality in terms of providing a very objective view — not a subjective view, as it was under previous governments, but being able to determine what those specific allocations are.

For the member opposite, I'll correct the record. The member is wrong. The government is holding the line when it comes to teacher allocations. Again I will refer to \$189 million in support of Yukon education, which includes 792 FTEs budgeted for our teachers, remedial tutors, educational assistants, school librarians, aboriginal language instructors — again, school council support in support of school growth planning, in support of our school councils.

In addition to that, we have also added 15 hours of additional instructional time in our last collective agreement with YTA —

Speaker: Order please.

Question re: Communication infrastructure

Mr. Silver: With regard to a second fibre optic link to the south through Juneau, yesterday the Minister of Economic Development said — and I quote: “I’m committed to this project.”

Last year, the government awarded, without competition, a contract to a company to look into this project and that report recommended — and I quote: “that a privately owned company be established to implement a Whitehorse–Juneau fibre optic link with connections to Seattle as well as offer wholesale data and internet services in Whitehorse. The company will require a one-time grant of at least \$12.8 Million to cover half of the startup costs and enable a viable business plan. The business plan assumes funding from both public and private sources, capacity sharing agreements with Northwestel, and a 10 year commitment from the Government of Yukon to purchase connection capacity from the new company.”

How does this plan for a \$13-million subsidy to start a new company fulfill the Yukon Party’s commitment to maintain a level playing field in supporting small businesses?

Hon. Mr. Dixon: I have to correct the member opposite. He is wrong in his statement that this was somehow sole sourced or done without competition. This was a funding of a First Nation conglomerate of development corporations to conduct a study. We provided funding to this group of First Nation development corporations to conduct the study in question. He correctly quotes from that executive summary, which is now available.

We appreciate the work that was done there. We have taken that report into consideration. That particular vision, as articulated in that feasibility study, may be an option, but it’s not one that we have prioritized. While we appreciate the work that has been done in determining the feasibility of that project, and the work that has been done to date by the three First Nation development corporations, we are exploring a number of different options for the development of this project. We’ve included about \$600,000 in the budget for this particular project to advance the business planning, and we’ll be moving forward with the development of this project in the near future. As I’ve said before, we haven’t come to a decision as to the exact business model that we’ll be employing yet. While we appreciate the work done on that feasibility study — and it will be taken into consideration — that’s certainly doesn’t limit our options when it comes to the development of a business plan.

He is wrong in continuing to assert that this was done without competition. This was a specific funding allocation to a group of aboriginal development corporations to conduct a feasibility study, and that’s it.

Mr. Silver: The only thing that he missed was “without competition”.

Mr. Speaker, last year the Yukon Party paid \$120,000 for a report and called for it to get into the fibre optic business and the Internet business. The report recommended that the government, the taxpayers, provide a one-time grant for at least \$12.8 million to a new private company to establish a

Whitehorse–Juneau fibre optic link. The minister said yesterday that he is committed to this project. The Yukon Party campaigned on a promise to maintain a level playing field in supporting small business.

This year, the government has set aside another \$600,000 to pursue this idea. Why does the minister think that taxpayers should be funding competition to Northwestel to the tune of a \$12.8-million subsidy?

Hon. Mr. Dixon: Quite frankly, the member is wrong, and I don’t think that we should be providing \$12.8 million to provide competition to Northwestel, as he has indicated. As I said before, we provided funding to a group of aboriginal development corporations — First Nation development corporations — to conduct a feasibility study. They did that feasibility study. It’s completed and it’s interesting information. We appreciate the work that was done to date. We’ve taken it into consideration, we’ve read it, we’ve considered it, and it’s not a model that we will be pursuing.

I am not interested in entering into competition or having government become a competitor to a telecommunications company in Yukon. However, I am interested in the development of a new fibre line to the south. We believe that providing redundancy, increased capacity and downward pressure on rates and improving affordability will be a good thing for Yukon’s economy and will be a good thing for the development of small and large businesses throughout our economy. I think this is important infrastructure that could see an effect on the diversification of our economy, and I look forward to advancing it.

When he asks if I am committed to this project — absolutely I am committed to the project. I want to see a fibre optic cable to the south that provides that redundancy, capacity and affordability for Yukoners.

The member opposite is going to have to get his mind around this. This is his interpretation, and his continued mischaracterization of these facts is not helpful for this debate.

Mr. Silver: For the record, the Liberal caucus supports a second fibre optic link. We also are prepared to support public investment in seeing that link established. What we are not prepared to support is the government picking winners and losers and funnelling money directly to one company or another in this endeavour.

Unfortunately, this is the model that the Yukon government is following, based upon the \$120,000 report on its website. There is a further \$600,000 in this year’s budget to continue working on this project.

The question is: Will the money be given directly to one company, or will there be a level playing field in which everyone interested is allowed to bid?

Hon. Mr. Dixon: The problem with scripted questions is that they don’t require consideration of the answers that were given. It is an interesting approach from the Liberal leader here.

What he did not do is listen to my answer. What I have said is that we provided \$600,000 in the budget for the development of a business plan for the creation of a second

fibre link to the south. That is what we plan to do. That is what we are committed to, and we believe that there is a role for the public purse to invest in infrastructure of this nature. For hundreds of years, governments have invested in roads and rails and ports and airports to advance their economies.

In the 21st century, things have changed and now we have a more digital economy. It is appropriate now for the public to invest in this sort of digital highway in the manner that previous governments did for the physical highways.

We're committed to this project. We think it's going to be transformational for Yukon's economy. We think it's going to introduce diversification that doesn't exist currently, and we're going to see a tremendous benefit for Yukon businesses, both small and large, as they hopefully see the creation of redundancy, affordability and increased capacity.

I encourage the member to pay attention to what I'm saying, to listen to it, and to stop mischaracterizing the facts — he has done so repeatedly over the past number of weeks — with regard to this particular project.

Question re: Carmacks Health and Social Services office

Mr. Tredger: For a few years, there has been talk of moving the Health and Social Services office in Carmacks. It is located directly opposite the bar and is not as confidential or as safe a place as it should be for folks coming for appointments with the social worker and other staff who work there. Currently the office is closed until further notice because of water damage. Calls to the office are being routed through the Mayo office. Staff who ought to be supported have no access to workplace phones and computers and they have no place to do their important work.

Can the minister tell affected people in Carmacks: how will continuity of service be ensured while the office is closed, and what is the plan is for reopening the office?

Hon. Mr. Cathers: As Acting Minister of Health and Social Services, I will commit to raising that issue with the minister. I'm not aware of the status of that situation, so all I can do at this point is commit to raising it with the minister and ask for information to get back to the member about the status of steps to rectify the situation.

Mr. Tredger: The closure of the Health and Social Services office in Carmacks could have been avoided. In 2011, Little Salmon Carmacks First Nation built a new healing centre. It was built with the understanding that Yukon government would become a tenant as it was known that the Health and Social Services' office needed a new location.

Health and Social Services' personnel even helped with the planning. In the fall of 2012, preparations to move into Little Salmon Carmacks First Nation's new building were stopped when the Yukon Party government decided to revisit the question of where its Social Services office should be. Staff and clients were left in limbo with their office in a bad location and now that office is closed.

Why did the government cancel the move and leave its Health and Social Services office in an inappropriate space these last few years?

Hon. Mr. Cathers: As Acting Minister of Health and Social Services, I am not in a position to be able to speak exactly to what is being done with the current issue that the member brought to the floor. However, I would note that it should come as no surprise to other members in this House that once again, the Member for Mayo-Tatchun has brought assertions to this House which are not factual.

Mr. Tredger: The First Nation built a beautiful new building with the understanding that Yukon government's Health and Social Services would be an anchor tenant for three or four offices. This is yet another example of a failed partnership and the burden falls on government staff working on the frontlines and community clients who need their services. For five weeks now, there has been no office at all for staff to do their good work and where community members can come to meet them. There must be a secure space so there is no interruption of service.

Will this government work with the Little Salmon Carmacks First Nation to immediately secure and open to the public appropriate space for its Health and Social Services office?

Hon. Mr. Cathers: I would remind the member that decisions around locations of office space and buildings are dealt with by staff of departments, as well as coordinated by Property Management. In locating an office, there are a number of factors that need to be considered, including suitability of location, suitability of the space and the price that is being asked for a facility. Once again, as Acting Minister of Health and Social Services, I'm not in a position to speak to the next steps of the Health and Social Services office in Carmacks. I will again point out that, once again, in his prelude to the question, the Member for Mayo-Tatchun yet again has brought forward assertions to this House that are not factual.

Some Hon. Member: (inaudible)

Point of order

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

Ms. Stick: Mr. Speaker, that's twice under Standing Order 19(g) where the member opposite has imputed false or unavowed motives in suggesting that the member, my colleague here, has been uttering falsehoods, or not giving the truth on the matter.

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

Hon. Mr. Cathers: On the point of order, first of all, I think the member meant to cite Standing Order 19(h) and I would also point out that I did not say the Member for Mayo-Tatchun was deliberately bringing forward assertions that were false. I simply pointed out that he was incorrect in his assertions.

Speaker's ruling

Speaker: To indicate that a member's interpretation of the facts differs from another person's or member's interpretation is fine. To imply that they are lying or purposely

trying to mislead this House or the Yukon residents is not permitted, but in this case there is no direct intent to try to mislead. There is no point of order.

Question re: Northern housing trust

Ms. White: My question is for the minister responsible for the Yukon Housing Corporation. On what date will the successful projects to be funded by the northern housing trust be announced?

Hon. Mr. Cathers: At this point, that's currently a work in progress. The northern housing trust process has been developed, first of all, as a result of recommendations by the Yukon Housing Board of Directors. The process began last year and the board has done considerable work in this area. There has been a two-stage process of reviewing these proposals and, at this point, while that is reaching the final stages, we are not in a position at this point to be announcing projects. I can tell the member that timelines for board approval of final projects would be in June or early July at this point.

Question re: Whitehorse Correctional Centre segregation cell

Ms. Moorcroft: Last week I asked a question in this House about the use of solitary confinement at Whitehorse Correctional Centre. The minister's response was disappointing. The minister stated that the approach to dealing with unstable people held at Whitehorse Correctional Centre with mental health issues is to lock them up in solitary confinement.

This is still this government's policy even after we have seen numerous reports that using solitary confinement on people with mental health issues will make their condition worse. Why is the minister standing by this archaic and dangerous practice when evidence shows it can have a devastating consequence on clients with mental illness?

Hon. Mr. Nixon: The Whitehorse Correctional Centre policy is that inmates are to be held in the least restrictive way possible while at the centre so that they can take part in programming and services that meet their rehabilitation needs. Most inmates are never separately confined within the Whitehorse Correctional Centre, but those inmates who are separately confined are placed there because they have made a serious breach of the rules of the Correctional Centre or they are a danger to themselves or others.

Ms. Moorcroft: I guess where the minister and I differ is that I don't think the best way to treat mental illness is through extended periods in solitary confinement. One individual's lawyer said her client spent 28 months in solitary confinement over his time at Whitehorse Correctional Centre. That is not occasional use, which the minister says is the case. That is a systematic abuse of a tool that was never meant to be used in that way. That is 837 days more than what the UN Special Rapporteur on Torture said was cruel and unusual punishment. That is unacceptable practice.

Solitary confinement makes prisoners more difficult, more unstable and more dangerous. Corrections officers know this. The fact that they have to resort to using solitary confinement on so many occasions is a clear indication that this government has done nothing to develop effective programs that help people with mental illness instead of locking them up in a box. Does the minister recognize that the overuse of segregation actually makes the job more difficult for corrections officers in the long run?

Hon. Mr. Nixon: In addressing the member opposite, inmates are only placed in separate confinement in a non-disciplinary situation if there are no other options available to ensure the safety and the security of the inmate, of other inmates, and of Correctional Centre staff. Pursuant to the *Corrections Act*, separate confinement can be used for one or more of the following reasons: to protect staff and other inmates from situational or chronic violence; to protect the inmate from others; to isolate inmates with significant physical or mental health problems that cannot be accommodated in other areas; to protect the inmate from self-harm; to isolate an inmate who is believed to be concealing drugs or other dangerous contraband; to isolate an inmate for the purpose of having his or her mental health condition assessed under the terms of the *Mental Health Act*. Inmates may be segregated pending or as a disposition of a disciplinary hearing. Inmates placed in separate confinement for disciplinary purposes are heard before independent adjudicators, pursuant to section 26(1) of the *Corrections Act*.

I've said it before and I'll say it again: I commend the staff of Whitehorse Correctional Centre and management for the work that they do. That's not an easy job and I thank them for their work day in and day out.

Ms. Moorcroft: Mr. Speaker, this government has shown time and again that they have little concern for the mental health issues of those who are incarcerated at WCC. Mental health issues are worsened by the overuse of solitary confinement and that in turn creates more difficult and dangerous situations for staff — thus it's a serious problem at Whitehorse Correctional Centre. Many inmates have mental health issues and are not receiving adequate treatment. Solitary confinement is being overused. The minister has consistently laid these issues at the feet of the hardworking corrections officers at WCC but really, the problem originates with him and his own indifference and inaction.

The fact is that this government is not providing adequate support to the staff of Whitehorse Correctional Centre and it is hurting their ability to do their job. We need to see change.

Will the minister commit to an independent audit regarding the use of solitary confinement at Whitehorse Correctional Centre?

Hon. Mr. Nixon: It is very unfortunate that inmates with mental health issues occasionally need to be separately confined. If they can manage in the units, staff make every effort to keep them in that unit. However, when an inmate is delusional or refusing to take his or her medication — and we cannot force them to take their medication — or if they are at risk to harm themselves or are violent, there is little choice but

to keep them away from the rest of the population. We also have a responsibility to keep them safe, as well as other inmates and our staff. When this occurs, the Whitehorse Correctional Centre staff work closely with the physician, with the psychiatrist and the psychologist who are on contract to ensure the very best medical care is offered to these individuals.

Inmates who are separately confined are given regular reviews of their confinement to determine whether it is appropriate. The person in charge will try to put them back into the main prison population as soon as those circumstances will allow.

Speaker: Deputy Clerk, can you please confirm if we have time for one more question?

Deputy Clerk: Time has elapsed.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members' business

Ms. Stick: Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, May 14, 2014. They are Motion No. 680, standing in the name of the Member for Mount Lorne-Southern Lakes, and Bill No. 105, standing in the name of the Member for Copperbelt South.

Speaker: We will now proceed to Orders of the Day.

ORDERS OF THE DAY

INTRODUCTION OF VISITORS

Ms. White: I think we have a proud mom right now in the gallery, and I would like to ask everyone to say welcome to Marguerite Kitchen, who I'm sure is here to see her daughter, the page. Thank you for coming.

Applause

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 general debate in Vote 51, Department of Community Services, in Bill No. 14, entitled *First Appropriation Act, 2014-15*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 14: *First Appropriation Act, 2014-15* — continued

Chair: The matter before the committee is general debate in Vote 51, Department of Community Services, Bill No. 14, *First Appropriation Act 2014-15*.

Department of Community Services — continued

Hon. Mr. Cathers: It is a pleasure to resume debate here on the Department of Community Services. As I believe you know, over the weekend I had the opportunity to attend the Association of Yukon Communities AGM in Dawson City. I appreciated the opportunity to talk to mayors, councillors and staff from Yukon municipalities across the territory.

I would also like to take this opportunity to congratulate the new president of the Association of Yukon Communities, His Worship, Mayor Potoroka of Dawson City, for his election to that role. I look forward to continuing to work with him in that new capacity, in addition to his role as Mayor of Dawson City.

I would also like to thank the outgoing president, Elaine Wyatt, for her work during her time as president of the Association of Yukon Communities and for the collaborative relationship both with me and with my predecessor as Minister of Community Services on a number of important files and on an ongoing basis in helping to foster that positive collaborative relationship that occurs between us — both directly with individual municipalities and with municipalities collectively through AYC.

To follow up to the Association of Yukon Communities AGM, I would also like to talk for a few minutes about the work that is done by Community Services in supporting local governance. Community Services supports the orderly establishment and operation of local governments and works to foster positive constructive relationships between communities and the Yukon government.

The Community Affairs branch had a total budget in 2013-14 of \$961,000 in operations and maintenance and an additional \$24 million in transfer payments to support good local governance and the provision of local government programs and services in Yukon communities.

I would like to take a moment as well to thank the staff of Community Affairs for the good work that they do and to thank and acknowledge as well other staff of Community Services in other divisions, including the Infrastructure Development division, which plays a key role in working with Yukon municipalities in providing the service to them and on behalf of Yukon government. I should also take this opportunity to thank the officials supporting me here today in the Legislative Assembly.

Yukon communities know they can rely on the Yukon government and on Community Affairs branch staff for their

integrity and professionalism, which is evident in the successful partnership with Association of Yukon Communities and their work with municipal governments and local advisory councils. The continued collaborative relationships help to foster the ongoing success of the “Our Towns, Our Future” project, which led to a new comprehensive municipal grant that provides increased annual funding to municipalities and led to a solid-waste findings report, a community development team pilot and a *Municipal Act* review, which was also an important project related to this initiative. “Our Towns, Our Future” is an important part of how the Yukon government is working together with municipalities to support their long-term success and foster and support their role as part of the fabric of Yukon society. The implementation continues in partnership with the Association of Yukon Communities.

In 2013-14, the new five-year municipal grant program flowed a total of \$18 million to Yukon municipalities. The comprehensive municipal grant funding included a historic \$1.4-million increase in funding in the first year in order to strengthen municipal programs and services and improve the quality of life for Yukoners. This is an important step toward ensuring and fostering long-term municipal viability in Yukon and is an important part of government’s commitment to — and ongoing support of — Yukon municipalities.

The new five-year municipal grant program was developed collaboratively with Yukon’s municipal governments and represents Yukon’s renewed and increased investment in local governments to provide programs and services that reflect local priorities and improve quality of life for Yukoners in those communities. In 2013-14, as part of the new comprehensive municipal grant program, the Yukon government listened to municipal governments and has followed through on a commitment to exempt the grant from the Yukon government transfer agreement policy so that it is now provided as a single, annual payment at the beginning of the fiscal year. This gives municipal governments full access to the government grant to manage cash flows needed from the beginning of the year.

The comprehensive municipal grant is one part of the significant commitments made by Yukon government to support municipalities. Over the past five years alone, we have increased unconditional municipal funding by over 44 percent, from \$12.5 million in 2007 to \$18 million in 2013. In future years, funding through the CMG will be allocated by a simplified formula that will account for tax base, number of dwellings or properties, assets and other factors based on principles of fairness, transparency and predictability.

One of the reasons that the structure was changed was both to simplify it and because municipalities correctly identified, through a review process, that some of the elements in the previous structure created a situation where there were additional challenges created by the nature of that formula that led to municipalities making decisions around infrastructure and properties where taxes were due — it actually created a disincentive for them to do what was logical. They brought up those areas where the formula — the CMG — was having a

negative impact on municipal decision-making. I am pleased that we have responded to that and addressed their concerns by improving the formula.

The new program does come with a built-in review period of five years. It also indexes the annual funding to the consumer price index. The new comprehensive municipal grant includes a \$400,000 amount for a structural fire supplement, which represents \$50,000 each year to each municipality from 2013 to 2017, which is a \$2-million commitment to increase support for fire protection for municipalities overall. That funding flows directly to municipal governments to help them make decisions about improvements to municipal fire services.

As well, the Government of Yukon — as we committed in 2013-14, the last fiscal year — saw an increase to the funding for local advisory councils and provides \$72,000 to help local advisory councils carry out their responsibilities in representing residents of unincorporated communities.

Community advisors regularly attend public and LAC meetings and they also attend meetings in municipalities. In total, the Yukon has eight municipalities and five local advisory areas.

As I mentioned earlier, the comprehensive municipal grant program is a key outcome from the “Our Towns, Our Future” municipal sustainability review, which was a joint initiative of the Government of Yukon and the Association of Yukon Communities. In the first three years of this process, many of the 18 theme areas have been addressed. Key projects completed or started in the past year include the municipal grant review, the *Municipal Act* review process, a Faro community development team pilot project, the establishment of a solid waste working group, the development of a municipal sustainability indicators toolkit and the renewal of the memorandum of understanding for collaboration and consultation with the Association of Yukon Communities.

The *Municipal Act* review launched under the “Our Towns, Our Future” banner at the 2012 annual general meeting of the Association of Yukon Communities is being carried out in partnership with AYC. First and second phases of the *Municipal Act* review have been completed, and a summary of community visits made by the *Municipal Act* review committee were released to the public in 2013. The findings report, highlighting interjurisdictional research and overall observations of the consultation process, has also been completed.

The *Municipal Act* provides a foundation for strong local governance and, by reviewing and updating the act, the current and future needs of municipal governments and the citizens they serve will be better met and will improve the sustainability of Yukon communities. The review will unfold over a two- to three-year period, leading to expected amendments to the legislation in the spring of 2015.

As part of the next stages of this process, meetings will be held across the Yukon with all municipal councils, with interested First Nations and with the general public as well, to address the priorities related to the legislation and to allow input leading to the finalization of the changes under the act.

Madam Chair, I believe that you are indicating that my current time allotment is ending, so I will then sit down.

Mr. Barr: Once again, I would like to welcome the officials from the Department of Community Services and thank them, along with the rest of the staff, for their ongoing hard work and help here in the budget debate.

I would also like to congratulate Mayor Potoroka, as he is now the new president of AYC, and extend the best to Elaine Wyatt, the outgoing president of AYC and thank her for all her efforts. It was a great three days up in Dawson City at the AYC conference. There was a great deal of enthusiasm. There was so much information that was shared over the three days by all the folks from the different communities. I have been at a few of these now, and this one in Dawson City — we did a great tour of the infrastructure with the mayor. It was very informative and a lot of laughs. I look forward to the next AYC and hopefully there are a lot of plans and updates and then more plans made for future endeavours. I just look forward to working with this government and listening continually to the members of Association of Yukon Communities in moving the vision forward into action.

Without spending any more time on speaking to that, I will get right back into questions for the minister and I look forward to his responses.

We had been speaking about Ross River at the time and we were speaking to the Ross River suspension bridge, I remember, when we were last in this area. One of the questions I had not had a chance to bring forward was to ask the minister: Would there be a willingness in his department to transfer responsibility for the bridge to Highways and Public Works and their transportation infrastructure, given that there is a great deal of experience and expertise, especially with the upcoming RFP and ongoing issues? It is really a huge transportation infrastructure for Ross River. I will just leave it at that for now.

Hon. Mr. Cathers: In fact, with the Ross River suspension bridge, work on that project is involving both the Department of Community Services and the Department of Highways and Public Works. As the member might be aware — and if he is not, I will inform him — that the deputy minister of Highways and Public Works, along with government staff in the community of Ross River have recently looked at the condition of the bridge. They are providing support to Community Services, whose budget the project is in, but, in fact, one of the reasons that the work on the RFP for stabilization of the suspension bridge is taking a bit of time is that it has involved staff from both departments.

As I believe my colleague, the Minister of Highways and Public Works noted earlier — and I think I mentioned this myself earlier in the House — it has been challenging for technical staff to determine how to best structure the RFP to maximize the chance that contractors will bid on it and that we will have the specifications right so that the work that needs to be done to ensure public safety occurs. It is a bit of a challenging situation because of the bridge condition and that of course is why government initially proceeded, as recommended by engineers, with the plans to take down the

bridge. However, we heard very clearly from the community and the First Nation about their attachment to the bridge and their concern with seeing it kept in place.

We did listen to that and then proceeded, pursuant to an agreement reached by the Premier and Chief Brian Ladue of the Ross River Dena Council, with working to develop this RFP to stabilize the bridge. In fact, when the member suggests that there should be a transfer of this to Highways and Public Works, in fact, both departments are involved in this and my understanding is that making any changes to whichever budget the project is going through would simply delay the implementation of the project. In fact, engineers and staff from both departments have been involved in doing this work and will continue to be involved.

I would note that, in pointing out the topic of the Ross River suspension bridge, government has in fact spent a significant amount of money on past repairs. I know that some of the member's colleagues have failed to note this in some of the rhetoric that they have used around the bridge. The government has spent over half-a-million dollars already on repairs to the bridge. The government had \$1.1 million budgeted to do repairs to the bridge last year, in 2013. It was the engineer and the welding firm that had successfully bid on that contract that came back to government with the recommendation that the bridge not be repaired but be dismantled. It's important for the member to recognize that they were, at that point, walking away from a contract that would have seen them make additional money and informing the government that they felt that should not be done.

That speaks, just illustratively for the member, of why it has been challenging to structure this contract, but government staff continue to work on this. Further communication will also occur with the First Nation before an RFP to stabilize the bridge is put out. The area around the bridge towers has been barricaded off. Stairs to the bridge were removed. Signs have been posted stating that the bridge is unsafe.

I would also like to take this opportunity to speak briefly to infrastructure investments. The Yukon continues to play a key role in the nationwide effort to develop a long-term infrastructure plan for Canada and worked collaboratively to develop an investment strategy that meets the unique needs of the north for unincorporated communities and municipalities.

Last year, the Yukon chaired the ministers of local government conference. That was my predecessor, as Minister of Community Services, the MLA for Whitehorse West, who chaired that conference in July 2013. At that time, provincial and territorial ministers responsible for local governance came together to share ideas on issues of importance to our jurisdictions, including long-term viability of communities and contributing collective ideas to the design of a new federal infrastructure plan that best meets local needs and priorities through a strong base of flexible funds. The conference was quite successful.

The new federal infrastructure plan tabled by the Government of Canada includes funds earmarked to continue the gas tax and Building Canada funds. These two funds have

provided additional funding to the Yukon government for a range of projects from major highway and bridge improvements to solid waste, drinking water and waste-water system enhancements in Yukon communities. In all, more than \$265 million has been committed under the Building Canada program for Yukon projects and a great portion of this has directly supported municipal infrastructure projects in Yukon.

The municipal rural infrastructure and Canadian strategic infrastructure funds combined represent an additional \$75 million in joint capital investment, which has occurred in community and municipal infrastructure across the Yukon.

In the area of gas tax, the Canada-Yukon gas tax agreement has been very important in supporting projects in municipalities.

The new gas tax agreement, which we are looking forward to hopefully having signed soon by the federal minister, will be a key part of funding projects going forward. To date, over \$73 million in funding has been approved for 185 gas tax projects for various municipal and First Nation projects. As I mentioned, Yukon is close to concluding and signing a new gas tax administrative agreement with the federal government. That agreement will provide over \$160 million in funding to Yukon between 2014 and 2024 to build public infrastructure projects in Yukon communities.

As with any agreements of this type, from time to time there are challenges in dealing with the federal government. We are very happy with the structure of the gas tax agreement. As I noted before to municipal partners on the new Building Canada agreement — while we understand the federal government's reason for having the first two years of funding leaner years and the heavily back end loading of the funding agreement — we appreciate the fact that the federal government in both the gas tax agreement and the new Building Canada agreement has given the Yukon, along with all the provinces and territories, longer and more stable multi-year funding than had previously occurred. The change to a 10-year agreement for both of these does provide long-term certainty and long-term comfort to the Yukon and to other jurisdictions, so we know that this important federal funding will continue.

Madam Chair, I will invite further questions from the Member for Mount Lorne-Southern Lakes.

INTRODUCTION OF VISITORS

Mr. Barr: Madam Chair, I would like to welcome to the gallery Robin Gilson, an enthused, concerned Yukon citizen.

Applause

Mr. Barr: I have another question around Ross River. It is regarding the Ross River sewage pit. I know I brought it up at the briefing and I wanted to get some more information on this. There was some given at the briefing, but this will hopefully provide the rest of the question with some answers.

I know that over the last couple of years, my colleagues and I have raised the issue of the government's non-

compliance with the water licence MN02-044 in Ross River. I am wondering if the government is in compliance now. I understand that there is a plan for the new Ross River sewage pit and there had been some sites picked out. Has a site been designated, when would this work go ahead and will there be a new sewage pit built this year? What are the confirmed timelines when this work will be finally completed?

I would like to just add that it has been promised for many, many years now that this be completed, so I am sure that it is of great interest to those in Ross River.

Hon. Mr. Cathers: As I believe was mentioned to the member earlier, there is \$1 million in this year's budget for the development of a new sewage facility and new septic pit for Ross River. But at this point in time, there needs to be additional discussions with the community to try to reach an agreement on where that pit should be located. Again, we are committing additional resources to this area.

I would remind the member that this budget also contains \$1 million for solid waste for Ross River. In connection with this, I should also point out the significant investments in this community that have been made under our watch, which have included \$7 million spent on the development of a new water treatment and Protective Services building, which we officially opened last year. That \$7 million has improved drinking water treatment for the community of Ross River. It has also provided a home for their fire truck. I should also note that their fire truck is of recent vintage. As I have pointed out to members on a number of occasions recently, when we first took office during the first term, the age of Yukon's fleet of fire trucks was, in many cases, at a stage that the equipment was not modern and they were, in some cases, not up to fully performing the task.

There were a number of fire departments, including the Hootalinqua fire department and the Ibex Valley fire department — both were using tanker trucks that were as old as, or older, than I am. Try not to be shocked, Mr. Acting Table Clerk.

The vintage of those vehicles made them probably better suited to be antiques than serving modern fire protection needs. In fact, as contained in this year's budget with significant investments in improving our fleet of fire trucks — as I mentioned earlier — government has invested in new pumper tankers in recent years for the volunteer fire departments on the Whitehorse periphery, including new pumper tanker trucks for Hootalinqua fire department, for the Ibex Valley fire department and for Golden Horn. These are state-of-the-art pumper tanker trucks and they do allow for the pump-and-roll function, as it's referred to, which allows them to deal with things like brush fires alongside a highway and be in motion while spraying down that fire. It also allows for very quick action on reaching a scene because it is all activated internally with the flick of a few switches and the use of a joystick that allows the aiming of that pumper turret.

Also, those fire trucks — as with our new pumper trucks — include new features including chains that can be deployed for the tires with the flick of a switch, or it might be the push of a button — I believe it's a switch, and I'm sure the

members don't care whether it's a switch or button — from inside the cab of the pumper. That makes it much easier and also certainly much more comfortable for our volunteer firefighters to be able to deploy chains in the event they are in a slippery situation and avoid a situation where someone might have difficulty in chaining up when it was needed. It also includes on those new fire trucks — both the pumper tankers and the pumpers — new scene lighting equipment, which, rather than in an older era, goes back only a decade or less — that for scene lighting, it required manual setup of lighting equipment, hooking up of electrical cords, and so on. Again, that equipment does allow firefighters to go to a scene and very quickly, by operating the controls, set up that scene lighting and begin providing bright light for nighttime firefighting situations.

In the case of Ross River, the truck that is in Ross River is a 2009 fire truck. I looked when I was there and, as the member will see if he has looked at it, that pumper is in very good shape and is another example of the recent, tangible investments in improving the state of Yukon's fire service that has been made possible through investments by the Yukon government.

As I believe I noted for Ross River waste-water treatment — that being a new sewage facility — \$1 million is allocated in this year's budget. I will also point out, while I'm on my feet and talking about the exciting topic of sewage, that there is \$450,000 for the Carcross sewage lagoon, \$450,000 in the budget for the Burwash sewage lagoon, and the budget also contains another \$82,000 of gas tax money for various solid waste cell improvements.

I would also note, jumping back to Ross River and the septic pit, that the Department of Community Services is working closely with the appropriate regulatory authorities to resolve the compliance issue with the septic facility in Ross River. The \$1 million in this year's budget is very tangible evidence of our investment in this area.

Community Services has contracted the assistance of a local engineering firm to assess environmental conditions surrounding the septic pit and to identify options for a long-term solution. Staff continue to engage with Ross River Dena Council to share up-to-date information and discuss options on moving forward. Officials met with RRDC and also held a public meeting in late winter of this year. The department is also very confident that the town's drinking water source is safe and that the new drinking water facility is meeting all appropriate guidelines. Government remains committed to continuing water monitoring at the septic pit.

The monitoring to date shows the impact is very localized and at a safe distance from the community. As I noted, we do have \$1 million in this year's budget to invest in a new facility.

Mr. Barr: I appreciate the minister's enthusiasm for fire trucks. We did speak quite a bit about fire trucks last time we were in Community Services. I know he likes buttons and I am happy for him, but maybe we could get on with some other things.

Some Hon. Member: (inaudible)

Mr. Barr: Well, I won't be so bold as to say "answer some questions", but I would like to say that I didn't hear in that response if this pit was in compliance. That was a specific question there.

I will ask some other questions here. It's about community centres. I don't know if I should go there. Along with the minister's visit to Carcross, where he was invited to come and did come in January, there was a follow-up with the fire chief — coming and discussing with the community — actually a couple of weeks ago out of that previous visit with the minister — possibly combining a community centre with the fire hall.

I don't know if the minister is familiar — as it has been a couple of weeks — but there was some interest in possibly combining the hall. The fire marshal was going to come back — although during the discussion, there was more clarity given that it would be a community centre with a fire hall attached, rather than a fire hall with a community centre attached. I realize that with the seating, the community was looking for something more along the lines of 300 people and a larger kitchen, rather than a fire hall with the capacity for a community centre with 70 people and a small kitchen.

There was a commitment to look into this, so there was some hope in Carcross. I would like to know if there has been any other movement on that and also appreciate that there will be a new emergency services combination fire hall, ambulance, search and rescue building whether or not there is a combination with a community hall. While the people in Carcross would have preferred to have a community centre first, they are glad that there is something moving forward.

I would also like to ask, while I am speaking to community centres, what is the estimated time of Old Crow's new recreation centre?

I realize that materials went to Old Crow over the winter road and they were happy that the community would be receiving a new community centre. How is that going and when can the people of Old Crow be dancing for the first time in the new centre?

Hon. Mr. Cathers: With the Old Crow facility, the commitment that has been made is \$2.7 million from the Yukon government to support the Vuntut Gwitchin First Nation in developing a new recreation centre for the community of Old Crow. I would be remiss if I didn't commend and congratulate the Member for Vuntut Gwitchin for his work on this project and supporting the needs of his constituents and their interest in developing a community centre. In fact, the \$2.7 million is in the Executive Council Office budget, not in Community Services. This is a government-to-government contribution, so I'm not in a position to speak to timelines. Those questions would be better addressed to the minister responsible for the Executive Council Office, because Community Services doesn't have any direct involvement in that project. From a recreational perspective, of course, we would be happy to provide any information that would be useful to the Vuntut Gwitchin First Nation in doing their project, but it's not a CS project and the money is in the Executive Council Office budget. I would

encourage the member to address any questions he has regarding it to the minister responsible for the Executive Council Office.

Moving back to the community of Carcross, as the member knows, I met with the chair of the local advisory council and other members of the LAC in February of this year when we were out there to open and cut the ribbon on the new water treatment plant.

We discussed at that time a number of options with them for using the fire hall replacement project to potentially address other community interests, including possibly recreational space. As the member correctly noted, Yukon's fire marshal recently met with the LAC and members of the community and shared some conceptual ideas and sought some feedback. We have taken what we heard from the community and that will be discussed internally and we will make some determinations then following of course discussion with caucus on what should be included within this project. We will then be making those determinations going forward. There will of course be additional opportunity for community and public feedback as well.

I would note to the member that we do believe that the replacement of the fire hall is the highest priority in the area, which is the determination based largely on the advice of the staff of the Fire Marshal's Office and the fire marshal himself. We consider having a capable facility for emergency fire response to be one of the highest priorities for any of our communities. The intention is that the new facility would also provide space to house the ambulance for the area. Options are being considered for whether there should be a training room added as is part of most new Yukon fire halls, if not all Yukon fire halls.

There is also some consideration being given to expanding it to address additional community recreational interests, including interests around holding community dinners, but beyond what has been shared recently with the community — and I know the member was at that meeting — we don't have additional information to share at this point.

We have just very recently had that meeting between Community Services staff and members of the community and have not made any decisions following that at this point. I should note as well to the member that one of the things that has occurred in the past — government has made significant investments in Carcross, including the significant investments in waterfront development that has seen millions of dollars invested. We've seen millions of dollars invested in the new water treatment facility. We continue to work with the community on priorities.

One of the things that we are also attempting to do is recognize that members of the community had a different list of priorities and a different sense of priorities. Some of the projects that have been brought forward by members of the Carcross community include requests for a community centre and requests for a new potlatch house. Some would like to see new library facilities. While we were in Carcross, I also heard the other perspective on that, suggesting that the existing building is just fine and they would rather not see it merge

with something else. There are diverse senses of priorities within the community

Part of government's job and part of the job of the local advisory council is to try to come up with a sense of which priorities can be addressed first and in what manner. As the member was referring to, we have also made an attempt to see whether it's possible to address several interests within one building at a cheaper capital cost and cheaper operational costs, but again, final decisions have not been made in that regard. It is important that we come up with facilities so that, when we are making capital investments, we first address the important needs around emergency response capacity and ability.

Water treatment — as the member should be well aware — was one of the recent investments made in this area and comes up very high on the priority list because safe drinking water is something that is very important to all Yukoners.

When we are considering the community recreational and social and cultural priorities, we also do have to try to come up with shared priorities that best make use of capital dollars. Government, while we appreciate everyone's perspective, can't build a building for every person to reflect their own personal vision of community development. While I say that somewhat humorously, I also want to note that we consider everyone's viewpoint in every community important when these decisions are being made but, as I think all or most Yukoners appreciate, government does need to try to bring those various perspectives together and come up with a realistic list of capital projects and investments and determine which projects best reflect community needs and community priorities.

That's exactly what we're engaging in right now with Carcross — in discussion both with the local advisory council and with the Carcross-Tagish First Nation.

Mr. Barr: I thank the minister for his response. In regard to future recreation centres, I'll ask a couple of questions at this time. They're kind of all related. The community of Carcross does appreciate the work that has been done in the community. There are differences of opinion as to prioritizing the infrastructure. I have heard the minister's response about the government's ideas of prioritization. The community itself has said passionately for years that they would value a new community centre, and I'll just leave it at that — along with what's going to be built as far as a fire hall and so on and so forth.

One of the questions is: When will Dawson City residents see a new recreation centre built?

In building new community centres or fire halls, how does the department ensure that new community buildings such as these make use of renewable energy solutions? Will renewable sources of energy be incorporated into the Ross River recreation centre?

Hon. Mr. Cathers: As far as Dawson City goes, the member asked the question: When will we see a new recreation centre for Dawson City? In fact, the member is acting on an assumption that does not reflect the current status

of discussions between the Yukon government and the City of Dawson.

In March 2013, Yukon government and the City of Dawson renewed a contribution agreement for Dawson to spend \$3.4 million on further safety upgrades, followed by functional upgrades to the recreation centre. An oversight committee composed of two Yukon government representatives and two Dawson representatives met quarterly to review the annual workplan and to ensure expenditures are made in accordance with the agreement.

What I would note again with this is that work continues to be ongoing, those discussions continue to be ongoing between Yukon government and the City of Dawson. While at the Association of Yukon Communities meeting in Dawson, I talked to the mayor and another councillor as well as the CAO about the status of this work and the officials there with me also engaged in that discussion.

Additional work is being done by the oversight committee regarding options around the future of the recreation centre. At this point in time, it seems that other options beyond building a new facility are being considered and looked to be more cost-effective. If the member has been in the existing facility, he will see that the hockey area portion is in very good shape. It's the curling centre portion and the mechanical room that need work. Part of the review that is being done is considering options for replacing portions of the facilities that are not in good condition.

While it would be premature for me to speak to final outcomes at this point, I think it is fair to say that the expectation of both ourselves and the City of Dawson also is that the end outcome will more likely be a joint decision to move forward with repairs to certain parts of the existing recreational centre rather than a replacement project. Again, that final determination has not been made, but I would just flag to the member opposite that at this point in time it's very likely that the most cost-effective solutions — and in fact the ones that best reflect community priorities — will more likely than not lead to repairs and renovations to the existing facility because a very significant portion of that existing facility is in good structural shape.

There are other parts of it that do need some additional work and investment to address them. The project continues to be something that is worked on jointly by the Yukon government and the City of Dawson, and we will continue to work collaboratively with them in determining what course of action should be taken to address the needs of the citizens of Dawson and the priorities of the citizens of Dawson in a fiscally responsible manner.

Mr. Barr: I thank the minister for his response. I had also asked about how the department will ensure that new community centres and other buildings will make use of renewable energy solutions. I'll just put that back out there.

Hon. Mr. Cathers: The use of the types of energy systems is something that is being given consideration by government. As the member knows, most Yukon government facilities and most municipal facilities have been heated by heating oil. In fact, additional consideration is being given to

other options, such as the biomass plant that supports the Dawson waste-water treatment plant. That has been a pilot project that, so far, looks very promising, although it has challenges associated with it. Biomass heating of Yukon government facilities is something that I and some of my colleagues have heard from the Yukon Wood Products Association that they would like to see government moving toward.

We certainly see some opportunity and promise in that area. It is also important to recognize that in previous years in Yukon going back to, I believe, the 1990s and the tail-end of the 1980s, there were some pellet-fired wood systems for institutional facilities in the Yukon that had some challenges associated with them. So for a while after that, those facilities were not used, and in some cases were removed from the facilities where they had been put in place. For a while government shied away from looking at other options around pellets or other biomass heating. We have recently gotten back into looking at that. The Dawson biomass facility was a pilot project and, based on the previous record of these facilities, had not been that successful. We also did not jump into it with both feet by putting 20 biomass facilities in Yukon government or municipal facilities. That was a pilot project which we are still analyzing to see how it is working. I believe this would be its second year of operation and there have been some bugs that had to be addressed in the facility, including changes to the design of the tubes around the auger that caused jamming at one point. They had to make some modifications to that facility. So again, we remain very interested in this area, but we also have to consider the cost of it and consider what is in place for backup systems.

As I noted to the member, we have and will continue to proceed in a manner where we account for how well projects are working or not — not jumping in with both feet, for lack of a better characterization, to put in place a lot of biomass facilities at Yukon government institutional buildings without having had time to assess how well projects such as the Dawson biomass one are working and work out bugs, both in operation of the system and in the supply chain. We have worked collaboratively.

Another example is the Champagne and Aishihik First Nations. We have worked with them and provided them with some funding to look at and explore the possibility of a biomass cogeneration facility. We will continue to work with partners to invest in areas of this type.

Again, government does have to — to an extent — be cautious in its approach and stick with systems that are known to work until we have had sufficient chance to test out new systems and new facilities and see how well they're working before simply going and making a big shift to those facilities. The simple answer to that is that it's an area where work continues, but it is not something that government can leap to overnight without having the same potential flaws that occurred. I know it was prior to the member's time in the NDP, but I would point out that the NDP — no doubt with good faith at the time — invested heavily in sawmills at one

point and that was a very failed initiative that resulted in the loss of millions of dollars of taxpayers' money.

We're not going to make any wild changes to new technologies. We're going to continue to explore them on a pilot project basis and look for opportunities to cost-effectively integrate them into new facilities and potentially into existing facilities where it appears to be a reasonable option.

The development of biomass in particular is one that looks attractive to many in the Yukon forest products industry as something that can provide a much more environmentally responsible choice for fuelling Yukon buildings than the use of fossil fuel that is trucked up the highway.

I would note that, in the area of building codes — as I mentioned earlier in Question Period and today in speaking to one reporter about the Yukon government's choice to suspend the application of the provisions of the national building code which had come into place automatically when the government was then automatically adopting any changes to the national building code — we heard an unprecedented number of complaints from Yukon log home builders and others about the cost of building to the new energy efficiency standard. While we have not made a decision yet about what the outcome to the process will be after forming an advisory committee and hearing technical advice on what solutions best reflect Yukon's needs, I want to again emphasize that, when we heard from a significant number of log builders that they were finding it cost-prohibitive to build log homes — and some had told me and my colleagues, including the Member for Kluane and the members for Watson Lake and Pelly-Nisutlin, that they were having trouble either building log homes or in some cases losing customers and having their number of typical annual customers dry up overnight as a result of changes made to the building code in 2013.

We did act decisively to respond to what we were hearing from Yukon log home builders and I want to again emphasize to members that I personally — and I think I speak for all of my colleagues — believe that Yukoners should have the option of building log homes. Log homes are one of the most environmentally responsible options for Yukon citizens because the products involved in construction — a much higher percentage of them — are sourced locally — more than virtually any other type of construction. We believe that Yukon-built log homes built by Yukon citizens and fuelled by environmentally responsible choices like Yukon-grown wood are a very environmentally responsible choice that reduce the need to truck in fossil fuels and materials made from fossil fuels and is a choice that all Yukoners should be free to make and to build homes that reflect their needs, their interests and their choices in an environmentally responsible manner.

I should also note, when it comes to building codes, that the Yukon government does set the building code on a territorial basis, but individual municipalities have the ability, if they have a different sense of what the code should be, to make their own choices and we certainly respect their choices to do exactly that.

I should note as well that one of the things the member and some of his colleagues do often forget, or perhaps do not recognize in the budgets, is there have been significant investments by government both directly through the Energy Solutions Centre and through the Department of Environment, and through corporations, including the Yukon Energy Corporation and Yukon Housing Corporation. Government has made significant investments in recent years in helping people move to renewable energy technologies, including opening up opportunities for people to use heat pumps in their homes and, through the implementation of the microgeneration policy, it has created the opportunity for Yukoners who produce renewable power through solar, wind, hydro or biomass to sell energy to the grid at a premium. We have set what we believe to be a reasonable premium, based on what the Yukon Utilities Board considers to be the avoided cost of adding diesel capacity to the system — that's 21 cents per kilowatt hour on the Whitehorse-Aishihik-Faro-Mayo-Dawson system. In those areas that are primarily currently served by hydropower, we've created a financial incentive to Yukoners.

The ordinary rate for power would be about 13.5 cents, I believe, for residential power, and the 21-cent per kilowatt hour is intended to be a helpful incentive to encourage people who are interested in selling renewable power to the grid to do so while avoiding the pitfalls of good intentions taken too far, as seen through dramatic failures like Ontario's policy of incentivizing renewable energy production that has resulted in very high-cost, unsustainable contracts between the Hydro One power utility and individual suppliers. It has resulted in taxpayers and ratepayers in Ontario subsidizing the purchase of renewable energy that, to my understanding, in some cases, the rate is as much as 80 cents per kilowatt hour for those multi-year, long-term contracts with independent power producers of renewable energy. We have tried to learn from the good intentions that resulted in bad outcomes in other Canadian jurisdictions and in jurisdictions in the United States as well. We did an extensive review that was conducted by government of various options for an independent power producer net metering and microgeneration policies. A microgeneration policy for small producers of energy has been put in place. I have heard positive feedback from constituents about it and we are very optimistic that this will result in increased choices by Yukoners who want to have their own home energy systems and sell excess power to the grid. We believe it will result in increased opportunities for them and will result in some increased production of renewable energy. We recognize that, as with any of these policies in any jurisdiction, it's not going to be the major source of energy, but we believe that it is a valuable part of the overall energy spectrum.

That is one of the important steps we have taken to encourage the use of renewable energy.

Mr. Barr: I thank the minister for his response. I am happy that there is some movement into ensuring that some new buildings with the pilot projects are going forward. I heard a lot about biomass, but I also know that solar here is

part of the basket of a building's ongoing costs. As we heard at the AYC, it was shared that there was a large amount of cost-savings. I believe it was engineered just by using the solar panels and offsetting costs of diesel fuel. I would encourage the government to look at more of these options for that type of infrastructure on roofs. I noted that in conversations with Northwestel, I believe they stated that especially where it is \$4 a litre, in their relay towers even in the winter, the solar panels proved to be very effective in saving us from burning fossil fuels.

I know that there is a lot of work to do in the area of renewable energy. I'm hopeful that for our children and our children's children that we continue those efforts and never stop looking at how we can better our planet with renewables. I won't spend much more time on that. I could, but I'll choose not to.

One more question or one more inquiry, I guess, around community centres and the differences of the funding structures. I know that it's been an ongoing topic for many years and I brought it up with the previous Minister of Community Services around Mount Lorne for example. Other community centres do have concerns around this as well. I know for the Member for Kluane, in Beaver Creek, there are concerns there.

In Mount Lorne, with the funding structure — I've been asking for a different way of topping off what they have to work with, noting that there, it's to do with population numbers. A large number of population boxes are out of the Hamlet of Mount Lorne area. It kind of has an unfavourable number at the end of the day for them to work with. Also, being such an active community offering such great programs, there's a large use there by people who come to Mount Lorne.

Some of the conversations they're having, as far as the longevity of their ability to provide the service, came up again at the last hamlet council meetings there. They're going to hand over the keys. I was just looking at the previous minister's kind of non-verbal responses there.

It is an ongoing concern with the folks who live there and in other communities. Has there been a movement in this area for restructuring the funding formula for community centres, so it creates more of a level playing field for those who are trying to deliver services?

Hon. Mr. Cathers: First of all, I would like to briefly comment on the member's remarks about solar replacing diesel. I would also encourage him — when he's speaking of example of a success in reducing cost, it's important for the member to also understand the distinction between where solar is used to replace diesel usage versus where solar is used to replace hydro usage or to add to the existing grid. Solar is certainly a technology that many people are interested in. Both my own family and a number of people I know — constituents and others — have used solar quite successfully.

It is one of the options that can reduce costs over the long term, but compared to other sources of energy, it is not always one that is cost-effective. Of course the ultimate cost of any energy production is something that needs to be very much considered.

Where solar is offsetting diesel usage, it becomes a more cost-effective solution than if it is adding to the hydro grid, because the cost of diesel is going up. The payoff, in terms of reduction of diesel costs achieved as a result of increased solar production, does happen more quickly. We do commend those who install solar panels — the member gave the example of Northwestel. There have also been First Nations that have installed solar panels and achieved some success in reducing costs. We understand that we have used solar as a solution at Yukon government swimming pools and they are being installed at several more community pools.

We are taking steps to invest in this area and in fact the member may not be aware of it, but there are solar panels on the roof of this building that were put there during my time at Minister of Energy, Mines and Resources through an investment we made. The display on that — I would hope consideration could be given to perhaps reinstating that system. It used to be in the Yukon government lobby and then was moved into the old library facility.

That of course has now been closed so it isn't available for public viewing. But we did have panels up that showed Yukoners coming to the lobby of the government main administration building and how much energy was being produced by the solar panels from the solar panels on the roof of the Yukon government main administration building. We have invested in a number of projects such as that and we'll continue to do so.

I do have to note to the member that solar panels and other renewable solutions are sometimes at a fairly high cost and it takes a while for the payoff. It is something that government needs to continue to make progress toward but we do also have to look on an annual basis of what the cost is, how much is produced, what the offset is. It's not as simple as snapping your fingers and putting solar panels on the roof of every government building in the territory overnight. It does need a more moderate approach.

I would also note that when it comes down to people's energy use, both their electrical usage and their consumption of other fuels, no matter what government does — and I recognize and acknowledge to my colleagues that government is an important part of moving toward choices that reduce the effect on the production of greenhouse gases and moving toward increased renewable options, as seen through the investment contained in this year's budget of \$2 million to the Yukon Development Corporation to begin planning Yukon's next large hydro project — it is also important to recognize that regardless of what government does, people do have personal responsibilities for making our own choices and the collective accumulation of everyone's personal choices has a big effect on energy usage just as it does on production of greenhouse gases and in areas such as solid-waste production and whether diversion programs are successful or unsuccessful.

It ultimately does come down to individuals making their own personal choices, whether that be turning off the lights in a room that you're not in or choosing to put a recyclable container into a recycling bin instead of into the garbage, or

whether it be through installing solar panels at your house or putting in a small-scale hydro system or other renewable choice, that degree of personal responsibility and personal choice is a very key factor.

Government has and will continue to support public choice in those areas through programs such as the good energy program, which encourages people to move to more energy-efficient appliances. We will continue to support, through some of the programs through Yukon Housing Corporation that help people to make energy retrofits to their houses to make them more energy-efficient, as well as other programs — I mentioned the microgeneration program and rural electrification program, which does allow people to access that program and borrow money to invest in renewable energy production for their home.

While government has and will continue to assist in those areas, I want to fundamentally emphasize the importance of personal responsibility and personal choice.

In the area of solid waste, as I briefly mentioned, that is a very key part of whether municipalities and the Yukon government are successful in diverting waste out of landfills that doesn't need to be there, whether it be hazardous waste or products such as batteries and fluorescent light bulbs that contain toxic materials and should not be in with regular waste. This is something that government can encourage and educate, but people have to make their own choices.

Moving to the area of recreational grants, I do want to thank my colleague, the Member for Klondike. He has raised this and been a strong advocate for increased funding to recreational facilities in unincorporated communities, such as Beaver Creek and Burwash Landing. He has brought this issue to my attention on a number of occasions. We are in the process of reviewing and looking at options for changing the funding formula for community recreation groups and centres in unincorporated communities. Those facilities in incorporated communities are included as part of the funding formula under the comprehensive municipal grant, but those unincorporated communities do not, of course, get the comprehensive municipal grant and, therefore, they receive the community recreation assistance grant, or CRAG, as it's sometimes referred to.

I would like to thank and acknowledge the work of the Member for Kluane in this area. As a result of that, we are in the process right now of reviewing and looking at options for increasing the funding support to unincorporated communities for their recreational facilities. As well, we will be looking at some potential changes to the structure of how those formulas are calculated.

Mr. Barr: I thank the minister for his response. I do know that solar is but one in the basket of many things and I'm glad to hear of some of the work that the government is doing. I wasn't aware that we have panels on this building. It is good to know those things. I am happy to hear the good news, and I am sure that the communities that have been looking forward to some movement on restructuring of community centres will be very happy to hear that there is a conversation around this. I would ask the minister when we

could maybe hear that this will be finalized — if we could actually hear some news as to when the money will be flowing. This is a very large department and there is so much to talk about.

I would like to switch gears just a little bit from what I just said and put it out there in this question about Sport Yukon and the hill at Mount Sima. When I was coming back from Vancouver last month — and I said I would bring it forward. The minister may be aware that the Yukon skiers and snowboarders who were at Mount Washington on the island — the Yukon skiers owned the hill. It was something that the parents who went down to chaperone were talking about and it was also quite the talk about all the others who went to compete from other provinces and B.C. itself. They were amazed how well our Yukon freestylers did. When they were asked how often they get to train, they were also astounded to hear that they get the time to do this once a week — compared to others in the competition who were training four and five times a week. They were kind of blown away at what the athletes here were able to do.

What was put forward — and I will put this out there at this time — is that there was interest — what we are looking at, it kind of combines tourism, it combines with economic development and Sport Yukon. If there would be a willingness within those various departments to come together and meet with these folks who would like to start up a competition that would use Mount Sima — where others would create an annual competition here that would be great in our winter season as our economy goes.

There was also a willingness of trainers from down in these areas to come up and be part of hosting training opportunities, like workshops. There were a lot of ideas thrown around on how we could increase the use of our hill here and also economic opportunities for the funding of Mount Sima. Mount Sima gets its season going far earlier than southern ski hills and these training opportunities, programs and competitions could make use of our hill early in the skiing and snowboarding year. Has the minister looked into the opportunity of marketing Mount Sima and the Yukon to outside teams and competitions, and would he be willing to explore this further?

Hon. Mr. Cathers: I appreciate the question from the member and his acknowledgement of the success of Yukon snowboarders. Truly, those athletes — along with freestyle skiers and others who have been successful in representing the Yukon at competitions including the one the member mentioned and the Arctic Winter Games — their coaches and their families should all be very proud of their accomplishments — as well, the volunteers who support the organizations, including the freestyle skiing, should be very proud of the work that they do.

I also want to note and remind the member that though Yukon government's work would not be successful without the dedication of parents, volunteers, athletes and coaches, we have also played an important role in ensuring that Mount Sima remained open this season. Long-term plans regarding the facility for multi-year competitions are something that

certainly we would be prepared to discuss and consider. I would remind the member that when I took office as Minister of Community Services, one of the first issues that I was dealing with was continuing to build on the work done by my predecessor in working with and supporting the Yukoners who were trying to ensure that Mount Sima would in fact still exist as a facility. There was grave concern as recently as last fall that the hill might become defunct and some of the key assets such as the chairlift might be liquidated. Through the good work done by the Friends of Sima Society and their many volunteers and supporters, they saw their best season ever. Over 920 season passes were purchased this year, which is well over the normal. Annual pass sales in previous years were approximately 250, so great credit is due to those who made that a success. I thank them for their work in ensuring that Sima continues to be a viable facility.

It's also important to recognize that Yukon government has not been alone in supporting the development of this facility. Mount Sima was a key element of Yukon being successful in bidding on and being able to host the 2007 Canada Winter Games.

In total, Mount Sima has received \$12.3 million invested by all levels of government since 1990, so this would not have come to pass without the City of Whitehorse and the federal government supporting it, in addition to the Yukon government support.

I would also note that two specific actions taken by the Yukon government at this facility in the past year have helped our freestyle ski team and have helped our snowboarders. These include the purchase I announced in September last year of the \$55,000 we provided to the City of Whitehorse to purchase the Zaugg groomer, which is important for the freestyle park — the halfpipe, which is important to their park — and their ability to actually do the halfpipe at the facility, and additionally the investment through the good work of the Minister of Economic Development. The community development fund invested this year in a \$42,000 airbag, which was unveiled at the Mount Sima alpine adventure park in early January of 2013. That airbag is something that is not only important to freestyle skiing safely, but I heard from people at the facility that it is in fact the envy of some other facilities in Canadian provinces.

Having an airbag of that quality is very rare in Canada and, to date, based on the time that this was announced, it was estimated that there were only six other airbags in use at ski resorts in Canada. That is a rare asset that Yukon freestyle skiers have for training for competitions. That support from the community development fund put in \$25,000 and Lotteries Yukon provided \$17,000 for the purchase of that \$42,000 airbag, which has been referred to by some as a giant pillow. As noted by the Yukon Freestyle Ski Association president, the arrival of the new airbag is a coup for Whitehorse because, to date, airbags are very rare in Canada with an estimated only six in use across the country. It will definitely give us an advantage competitively, as she noted at that time. The purchase of that bag and the continuation of having the Zaugg groomer there to do the half-pipe facility are key parts of

ensuring that Yukon snowboarders and the freestyle ski teams can continue to achieve new heights and new successes. I should also note that Yukon snowboarders were not just successful at the competition the member referenced, but in fact did a great job of cleaning up at the Arctic Winter Games and received an impressive haul of ulus competing in Fairbanks in 2014.

Again, we are pleased to be a part of it, but I also want to congratulate and acknowledge all of the work by parents, by friends and family and by coaches and volunteers. Without their work, none of this would have happened and government is pleased to be a part of their success, but the greatest share of the credit goes to the athletes and to their families, friends and coaches.

Mr. Barr: I thank for the minister for his response. I am sure folks will be looking forward to hearing the response around the willingness to explore the opportunities for an annual meet at our own Mount Sima. I will pass this along.

I did not hear an answer around the funding restructuring. When might we see that coming to fruition? I will just ask that again and sit down.

Hon. Mr. Cathers: The member is correct and I apologize that I missed answering that question. He asked about timelines on the increased funding for communities through the CRAG — community recreation assistance grants.

I don't have a precise date at this point in time. It is something that we're currently working on. It does require a review of the options by both caucus and by Management Board. Once a decision has been made and I'm in a position to announce something, I will certainly happily do so and look forward to doing so. I don't have exact dates at this point in time. It is something that is currently underway. I hope to be able to sometime later this year make an announcement about it, but the reason I didn't provide a precise date, though I did actually miss replying to his question, I don't actually have a precise date at this point in time.

Mr. Barr: I thank the minister for his answer and an estimate is great and there are those who will be happy to hear that sometime this year.

Can the minister provide an update on the issue of subdivisions in the lots on Mount Lorne?

Hon. Mr. Cathers: That issue is actually the responsibility of the Department of Energy, Mines and Resources. Consultation on various options was conducted a couple times actually. I believe there were three phases to that consultation by the Department of Energy, Mines and Resources. The last phase recognized that some people were frustrated by the delay. However, the last phase was due to a request that was received via a petition that was signed by 140-some people in the area asking the government to rephrase the question and do another survey.

Government did accommodate and I believe those changes have been made already through changes to the regulations. Some of the history of the development of rural residential lots in the area — I will provide the member — and I thank the Minister of Energy, Mines and Resources for providing me an updated note. I'll share some of this with the

member, although again, it's actually the responsibility of Energy, Mines and Resources. Just in the interest of information sharing, I do have it here and am familiar with some of the history, having been previously Minister of Energy, Mines and Resources. I'll give a short update at this point, rather than not answering and directing his question to my colleague.

The history of this has gone on over several years. In April and May of 2011, the hamlet council completed a survey to gauge public opinion on two proposals, one being to reduce the minimum lot size and the other being to develop the McGowan option land. The survey indicated respondents supported the council's opinion — sorry, the results of that did show that 65 percent of the people surveyed supported increased subdivision opportunity. Further work was done. There was a letter from the hamlet council to the minister in late summer of 2011. In January 2012, a letter was written to me, as then minister. In April 2012, a public meeting was held to discuss the subdivision issue and process for bringing possible amendments forward. In July 2012, the Energy, Mines and Resources Land Planning branch conducted a community survey on proposed amendments to accommodate subdivision. The results suggested that a majority of owners supported subdivision of rural residential lots.

The work has continued to go on. There was a re-survey conducted, as I mentioned to the member. I believe at this point that this is now available as an option. People who wish to subdivide their lots can contact the Land Planning branch to make that application. Cabinet did approve the change to the minimum lot size for that area. I would also note that this part of a broader approach that government has taken as part of our work on land availability and housing.

One of the things that we have done was to conduct surveys in several areas within or near Whitehorse to ask people if they wanted to see a reduction of the minimum lot size for rural residential properties that would thus allow people to both create new housing opportunities and would allow people subdividing those lots to derive a not insignificant benefit from doing so.

In the area of Mendenhall, we heard that people did not want to see a reduction in the minimum lot size, so that process went no further. In the Mayo Road area, the majority of people did support a reduction of minimum lot size, so that ultimately resulted in a reduction of the minimum lot size in that area. In Mount Lorne, through those survey opportunities, it resulted in a reduction of the minimum lot size and the opportunity to subdivide. Consultation is currently underway or has just wrapped up — I believe it's currently underway — in the Hot Springs Road area as well as far as whether residents there would like to see a reduction in minimum lot size.

Again, in most of these cases — in addition to government considering this corporately — there have also been letters and petitions in all of these cases from people in this area, who asked government to take a look at making these changes.

Mr. Barr: I thank the minister for his response.

I would like to ask a few questions about the Dawson City waste-water treatment plant. We understand the original plan was to have the City of Dawson take over the plant in August 2013, and we are still aware that the plant has not been able to achieve three steady months of trouble-free operation and has consistently been failing water and quality assessments. The delays cost the public money. I would ask the minister how much extra money has been budgeted because of these delays. Does the government have a reliable estimate of what it is going to cost to run the waste-water plant? What is the annual operation and maintenance budget for the facility? When does the government expect to hand over the operation of the facility to the City of Dawson and does the government believe the City of Dawson can afford — or has enough money — to operate this facility?

Hon. Mr. Cathers: I think, first of all, in speaking to this facility, it's important for the member to understand why the mechanical facility was built in Dawson City rather than a lagoon, and understand that the proposal that both the territorial government and the municipal government had as a preferred option was the construction of a sewage lagoon, but the choice to move to a mechanical plant was made as the result of public input.

By 2007, studies of 16 locations had determined that lots 1058 and 1059, located at the bottom of the Dome Road, would be the preferred location for an aerated lagoon. In setting the context for this, I should briefly remind the member, in case he is not aware of it, that the whole reason that a facility was needed in the first place is that, in 2003, the City of Dawson pled guilty to a violation of section 36 of the *Fisheries Act* which prohibits the deposit of deleterious substances into water frequented by fish. In March 2003, the court ordered the city to build a secondary sewage treatment plant, which the court required Dawson to have fully operational by the next year. This was part of the whole sequence of events that resulted in the City of Dawson becoming overextended and having a financial crisis, which required government to manage city affairs.

As the member may be aware — but I will not spend time talking about it today — there were also issues around the financial accountability, record-keeping and expenses of the then mayor, who has since departed the territory, which required government to come in and do a forensic audit, straighten out the books and reprove the municipality's financial situation.

Going back to the preferred option for implementing that court order of both YTG and the municipality was the construction of an aerated sewage lagoon. Aerated sewage lagoons have a long history of successful operation in the Yukon, but residents of the City of Dawson initiated a petition in 2007 that requested a referendum vote for council to pass bylaws to prohibit development of a lagoon at that area. The referendum was conducted in March 2008 and, as a result, the bylaw was binding and prevented the City of Dawson from moving forward with the development of an aerated sewage lagoon on those lots. While the Yukon government is not technically bound by the results of a municipal referendum,

government did support the municipality and accepted the choice of the residents of Dawson.

It was also clear, as a result of that referendum and public feedback, that there was not support by the citizens of Dawson for an open sewage lagoon at any of the areas that had been contemplated, so that then led to both levels of government listening to the citizens of Dawson and seeking other options. The successful option was a mechanical treatment facility, using the Vertreat system as the solution.

Corix Water Systems was contracted to design and build the new facility to meet that court order. I would again remind the member that there had been extensions to that court order, but one of the pressures on the municipal level of government and on YTG in assisting them with complying with that court order has been that the judge enforcing the court order did want to see governments making rapid process to meet the court order that was issued in 2003.

In July 2009, this led to the Yukon government and the city signed an MOA for construction by YTG and eventual handover of a mechanical waste-water treatment plant. The MOA outlined agreed-upon roles and responsibilities, including a commitment from Yukon government to assist Dawson in this area. The waste-water treatment plant is one that, as the member noted correctly — we have not been satisfied with its performance to date. We are working hand-in-hand with the City of Dawson to ensure that Corix is held to the terms of the contract. While they indicate — and staff believe it — that they can meet the terms of the contract, I can assure the member that we have heard loud and clear from the Mayor and Council of the City of Dawson their concerns about this facility. We are committed to doing everything in our power to ensure that Corix is held to the terms of its contract and that the facility does become successfully operational on a long-term basis. Failing that, government will do everything in its power to hold the contractor to account for the operation of that plant and meeting the terms of that contract.

I should also note that government has supported the operation of the waste-water treatment plant since it has been in operation. The recent letter that was sent by the deputy minister to Corix, indicating that government was not signing a certificate of acceptance for the plant is something that we both felt was necessary and appropriate. It is also something about which we had received a specific request, and we heard specific concerns from the Dawson City Council that they were not satisfied with the performance of the waste-water treatment plant to date, and we agree. What I will assure the member of is that the instruction that I have given to officials, and the instruction given by government, is to ensure we do everything in our power to ensure that Corix meets the terms of the contract, and we will continue to support the City of Dawson. We also have an arrangement — we have signed a letter of understanding between Mayor Potoroka and me regarding the waste-water treatment plant. That includes that if the facility does successfully meet acceptance testing and then is handed over to the City of Dawson, government has committed to them that, if the costs of operating it are

significantly higher than were anticipated and estimated, we will work collaboratively with them to come up with a solution to that, including financial support to the City of Dawson.

Mr. Barr: I thank the minister for his response. He answered some of those questions. If he does not have the number on how much extra money has been budgeted because of the delays, I look forward to receiving that at a later date. I also have the questions: Does the government have a reliable estimate of what it is going to cost to run the waste-water plant, and what is the annual operation and maintenance budget for that facility? If he could respond at a later time, that would be fine.

There was a question that had come up with me also around the waste facility. Being that Dawson is a mining town — there has been lots of speculation as to where the gold is in Dawson — it was put forward to me by a few folks — where did all the dirt go? We are talking about a great amount of cubic metres that was dug out of the ground for this. Where did the dirt go? What was done with that?

Hon. Mr. Cathers: That sounds like something the member could put to music — sung to the tune of “Where have all the flowers gone?”

I do not have a specific answer to that question. That project was done prior to my time as Minister of Community Services. It was also managed by Highways and Public Works. I am sure the dirt was put somewhere and I am sure there is a good answer for it.

But I don't have that information in front of me so I can't say to the member exactly where the dirt went from the holes that now have mechanical elements in them, but I'm sure that information is available. I'm gathering that the member sounded like he was hoping to mine it for gold, but I would suspect that if there was any gold in that ground it was probably mined a long time ago. I'm sure the dirt has gone somewhere, but I'm not going to speculate on where it went. As I noted, it was prior to my time as Minister of Community Services and the project was actually handled by another department, so I don't have that information in any of my notes, nor do the officials with me know what happened to the dirt.

Mr. Barr: I'm not much into panning myself, but a few folks were wondering. I saw the Member for Klondike look over and say, “I know where it went”. I'll look forward to hearing from him and so will the folks who have interests in anything that might have been found, given that you're not supposed to have mining going on in that area there I guess. I thank the minister for his response.

I do have a few more questions before I hand it over. One of them has to do with homeowner grants. I'm just checking in regarding the homeowner grants. What is the annual cost of maintaining the homeowner grant?

Hon. Mr. Cathers: The cost of maintaining the homeowner grant is something that I don't have — oh, now I do. The cost for the homeowner grant payment is \$3,708,000 for homeowner grant payments. That's in property assessment taxation, which of course we will get into in line-by-line and

it's easier for us to answer detailed questions at that point because it allows me and the officials supporting me to look at everything sequentially, rather than flipping back and forth through the book trying to find the right information. I will in general debate happily provide the member the number because I do now have that in front of me thanks to staff.

The 2014-15 O&M budget for property assessment taxation is \$4,729,000, which consists of \$927,000 for personnel, \$94,000 for other and \$3,708,000 for transfer payments.

Sorry, the formatting on the page was slightly confusing. The total number of homeowner grants paid in 2013-14 is 8,300. I think the member asked another question and I forget what that was at this point. Perhaps the member can refresh my memory.

Mr. Barr: As I'm refreshing my memory, I'll ask another. No, you answered. Thanks. I'm pretty sure.

I do have a question around solid-waste contracts. I know it has been a little tumultuous in the rural communities around a contract being awarded, and it has caused some concern in rural solid-waste facilities. I'm just wondering if the solid-waste contracts are in place for all rural communities at this time.

Hon. Mr. Cathers: In the area of solid waste, the government — as have municipalities — has faced a number of challenges with moving away from the simple and cheaper days when solid waste was disposed of through dumping it in a pit and lighting a match — after probably pouring some gasoline or diesel fuel on it. In moving to more environmentally responsible waste methods, which have ended the open burning of solid waste except for clean burnables like wood and brush, there have been significant costs. It has also resulted in changing a number of facilities to transfer stations to reflect the importance of having landfills that are properly designed. Moving away from those landfill facilities to transfer stations has also added additional costs. It is an area where significant steps have been taken, but government continues to work with municipal partners around taking the next steps in this area. While acknowledging the work that has done, we do also acknowledge that more work needs to be done, including improving the efficiency of contracts. Some of the first contracts that were entered into for solid waste have provided additional costs to things such as doing more frequent pickups than were necessary of certain types of garbage at certain facilities. Those adjustments are being made as they can be made by staff as contracts turn over.

As the member may be aware, we have a director who is relatively new on the job and we also had a bit of turnover of staff at the department. That has taken some time for them to get up to speed and get a handle on it over the past year and a bit. They are doing good work and continue to improve how government is managing this area. The member made reference to one contract where there was a lapse, and that was a glitch that occurred administratively. It was just one of those unfortunate things that can occur when staff are taking over and the records that they had were not quite up to the

standard they should have been or up to the standard they are now.

I would also note the member might be referring to specific concerns from the Marsh Lake Solid Waste society. I may be using the wrong name for that group and I apologize to them for that if I am. I heard concerns from a member of that group last year. I raised it to the attention of the director of Community Operations who is responsible for this area. He acted quickly, asking staff to rectify that situation.

The work is ongoing. This will be an area where we do recognize, during this budget and over the course of the next year, that there continues to be more work required. That work will be done in partnership with municipalities and with groups such as the societies that run several of our waste facilities in unincorporated communities.

We appreciate the work they do and the efforts that all are making toward continuing to improve the operation of the system, post the days when we used to burn solid waste, and that continuing steps are being taken by all to improve waste diversion, increase recycling and so on. We will continue working with partners to continue to take these next steps.

I also want to acknowledge — as I did at the Association of Yukon Communities — the good work that has been done in Whitehorse by the mayor, city council and staff, in terms of evolving Whitehorse's management of garbage. We have been an important partner with them on that in investing in facilities such as the composting facility at the Whitehorse solid-waste facility. They are a very important partner for us as we truck a lot of our garbage from transfer stations in to them. They remain an important partner to us, as does the business community, in improving diversion, increasing recycling and evolving our waste management system to be more environmentally responsible.

Chair: Before the member asks another question, is it the wish of members to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Mr. Barr: Is that Sir Chair?

I would like to ask the minister — while we were at the AYC, there was lots of talk about diversion, solid waste and meeting targets. There were some great efforts by the Haines Junction mayor and councillors who shared some exciting stuff they're doing there. I see the Member for Kluane is very excited about that by his pounding. He should be, because they are doing some great things. They were very inspiring and put a challenge out to other communities and a number of them did rise to the challenge to report on next year.

I was speaking with Councillor Dave Weir and, knowing that Tagish was interested in also following suit, he is willing to come spend some time with the LAC there with me, and set up tables and sort out with our rubber gloves to show people

what can be recycled. Actually, when you have a better knowledge of this, it shows how it is going to be helpful for all of these facilities and meeting the target of 50-percent waste diversion, which I understand the Yukon Party government had committed to and which is a segue into my next question.

How does this government feel confident in meeting the 50-percent waste diversion by 2015?

Hon. Mr. Cathers: Thank you, Sir Chair — congratulations on being knighted. I'm sure your parents will be very proud.

In answer to the member's question, the issue as far as waste diversion — this is again a perfect example of where government can do a lot and needs to do its part, but ultimately success in waste diversion and recycling comes down to you. It comes down to individual members and citizens because government's ability to police what people do is limited. Government really depends in this area, whether it be municipal governments or territorial government, on people making the personal choice to recycle, the personal choice to take things like clean cardboard and not put it in the garbage. We depend on them choosing to not dispose of batteries or fluorescent bulbs in the garbage.

As the member was noting in the presentation that was done at AYC, we heard councillors talking about their success in the waste audit with the municipality of Haines Junction — what the councillors of that municipality did to make a personal effort to reduce their own waste and increase diversion efforts.

As they acknowledged, it is challenging for someone to figure out sometimes what should and should not be in which garbage stream. Education and awareness are important parts of it, but ultimately government depends on people to make the choice and take the action to increase diversion and increase recycling because we can't do it alone. The simple answer for the member is that I would encourage him to do what he can personally and encourage friends, family and constituents to do the same.

Government has taken a number of actions, including matching, on a pilot-project basis, the City of Whitehorse's diversion credits for cardboard. That is \$75 per tonne for cardboard diversion out of the landfill. We have also, for outside of Whitehorse, provided \$150 per tonne for diversion of cardboard, which is what the City of Whitehorse would contribute plus what Yukon government contributes inside the City of Whitehorse. This is something that we are going to be assessing — how successful that is. We put that in on a one-year basis to assess it.

We are also in the process — as I mentioned and as staff at Environment mentioned at the Association of Yukon Communities meeting at the Palace Grand — of developing and going out for consultation on proposed changes to the beverage container regulations to increase the number of beverage containers covered and to increase the refunds for beverage containers that are currently covered by that.

We are also in the process of developing the designated material regulations. Those also will go out for consultation.

Those currently apply only to passenger tires of a size — I believe it is less than 24.5 inches. We are looking at expanding that to other tires and to things such as electronics. Those regulations are the responsibility of the Department of Environment, so I am not in a position to speak to specific, detailed questions that the member might ask about that. I would leave those to the Minister of Environment to respond to — as far as any detailed questions related to them.

I will note that that work between the two departments is an important part of what we are doing. The feedback from municipalities, businesses and others will be important to determine what we put in the final regulation. Between that and the diversion efforts around cardboard and the investments we have made in Whitehorse to assist them with the development of a new compost facility, we are taking a number of actions to support increased diversion.

Our platform commitment was to strive toward 50-percent waste diversion by 2015. There is a reason why we did not say that it will occur because, quite frankly — as I mentioned in my earlier remarks to the member — it ultimately depends on what individual Yukoners choose to do.

We will encourage, we will facilitate, we will create targeted incentives, we will work with municipalities, we will work with community societies operating solid-waste facilities and we will support our recyclers, but we do depend on people taking personal action to reduce the waste that's going into the landfill and we depend on businesses taking action as well.

Another action that government is supporting through the community development fund is supporting the purchase of containers for waste cardboard inside the City of Whitehorse. There's an application that was supported by both of Yukon's recyclers — those being P&M Recycling and Raven Recycling — and that application was made. We are supporting the purchase of, I believe, 80 new containers for inside the City of Whitehorse — again, another tangible and specific action that is being taken to encourage and support individuals and businesses moving toward diversion of cardboard and other products from the landfill.

In concluding my remarks at this point, the bottom line is that we depend on each and every person listening to and reading this to make a personal choice and to recognize that, while the easiest thing for each and every one of us to do is to simply throw everything in a big, black bag and put it in the trash, either out on the curb or dumping it off at our nearest facility, the most responsible action is for people to do a personal assessment of how they can reduce what they are putting in the garbage — whether that is developing your own compost pile or dumping it in a green bin at your curb, or coming up with a solution that reflects whatever community or area you're in. Coming up with those personal actions and making a personal commitment to take the extra time and deal with the extra work that is required to separate out those products is an absolutely key part of whether governments succeed in waste reduction and waste diversion targets.

Mr. Barr: I thank the minister for his response. I do totally agree that it really does come down to each and every one of us as the end of the day to do our part as individuals —

turning off a light switch or having our tires inflated to get better fuel mileage, to waste diversion and sorting it out. I do have a few different bins at my place and I do this. I do encourage those listening to do so as the minister opposite alluded to in his response. However, I'm not naïve to think that people are clamouring to get Hansard to read our suggestions here. I think that one of the responsibilities of government is to educate and be out there.

I know that some of the councils that are doing things such as in Haines Junction and the proactive responses of other community leaders taking an interest is very positive.

I would also like to state that there have been leaders in the Yukon such as Mount Lorne and that society in itself — not that it's the only one, but they have been at 50-percent waste diversion for a few years now. I know that in Haines Junction, the councillor was speaking highly of the actions in other waste facilities and the learning that society has to offer. I brought it forward in the House our more recent opportunity for the government to access that knowledge, which would help us all meet those targets and get information as individuals to be able to know what not to throw in the green garbage bag, but how to divide up what could be used, sorted and recycled — and whether to take advantage of the incentives the government is making with deposits on new containers and such, as the minister was speaking to. What this Mount Lorne solid-waste facility would be able to do with the extra funding that they have requested is to go into the schools to educate our children to really advance the information that really isn't out there for a lot of people to actually do their part, as the minister suggested.

I am wondering if there has been any movement with this. I know that there was reluctance for the minister to comment on that in the past in the House, but if there has been movement, what other opportunities is this government going to have if they are not going to move forward with the Mount Lorne solid-waste facility funding to educate?

On one last point — and this will be my final one, as I know others have questions — is that in the rural communities and especially the ones closer to Whitehorse, there has been a concern that has been brought forward. I would like to ask what the minister is doing or what has been happening as a result of a local contractor not paying tipping fees — or avoiding them or however it is happening for whatever reasons. It's not to say that those are the reasons, but the fact remains that our rural landfills are being used to dump. It is filling up these rural sites faster than anticipated. There has been talk about how to curb this behaviour, recognizing that we don't want it in our outlying areas in the bush, but it is a concern for solid-waste facilities in proximity to Whitehorse that contractors are bringing large amounts of construction debris and so forth. It is beyond what these facilities can accept. I am wondering if there has been movement on that.

There has been talk of some contractors having keys to these facilities and if this has been looked into in terms of abiding by the hours that are set out for our rural solid-waste facilities.

With that, I look forward to the minister's responses and hand over the other questions to those who may have some for this department.

Hon. Mr. Cathers: First of all, my understanding is that I think the Department of Education does run some programs related to recycling. The specifics of that I would encourage the member to ask the Minister of Education for, because I don't have that information in front of me. I'm not familiar with the specific request the member is referring to from the Mount Lorne solid waste society — again, my apologies to them if I don't have their name 100-percent correct. I just don't have that on the page right in front of me, but the society that runs the solid-waste facility at Mount Lorne does do a great job and I recognize the work they've done there. That's a good example of another important part of improving waste diversion — people who are committed, dedicated and passionate about reducing the amount of waste that's going into landfill facilities. It's something that's a valuable addition to the steps that government can take to manage facilities because, when we put out contracts, it's very hard to come up with a way to write into a government contract that the successful bidder needs to be passionate and dedicated toward helping people divert waste on the grounds of the facility.

We can specify specific requirements for them to do and, in saying so, I don't mean any slight to our existing contractors who I think are doing a good job of performing their contracts, but I recognize that if you have people such as those with the Mount Lorne Garbage Management Society — who are, from what I understand, very passionate and dedicated toward helping people understand what they should be separating out, how they can separate it out, what bin it should go into, what shouldn't go into bins at all, and so on and so forth — that really makes a big difference at a facility. I commend them for the job they do, but I also remind the member that government is an important part of supporting their operations, because without the direct funding agreement — I believe the direct funding for Mount Lorne to run that facility is about \$74,000 a year, according to the information in front of me — they wouldn't be able to manage that facility. We do take advantage of their passion and their on-the-ground leadership, but we are also an important part of supporting it and making it happen.

There is funding through the Department of Environment, I am given to understand — \$75,000 in funding for schools is provided in support of recycling and diversion efforts, and the current Education minister — during her time as Minister of Environment — announced and implemented that funding. I thank her for that note. We do provide information about recycling in schools, but the government has also supported the zero waste campaign with \$94,000. We do support those and we are making an effort to educate people, but it does begin at home. It does begin in schools with people choosing to make personal choices in this area.

Again, with a specific application to — which the member seemed to be referring to. I am not familiar with it, so I am not going to comment in detail, or preclude future

consideration of proposals from community groups encouraging increased awareness of how to recycle properly. As with any proposal, government does have to have a corporate funding stream that supports it and we also need to consider where we are spending other dollars in educational campaigns and the most effective use of the dollars. In some cases, some steps can probably be taken by people without direct government support, simply through acting to make others who are community leaders or school leaders aware of what they can do to help people who they are teaching and dealing with — understand how they can help and encourage an understanding of what makes for good behaviour and good personal choices in terms of improving recycling and diversion efforts.

The member made reference to contractors using government facilities. Generally speaking, contractors and businesses do not have keys to access facilities. I understand that, in Carcross, there are some exceptions to that. One of them — I won't single out a local tourism business, but one that does tend to have high volume and at a time of day that resulted in the business and staff believing that the easiest solution was to allow them to have a key to access it after-hours, rather than changing the contract hours — also, based on the indications I've had from staff, they don't believe that business is in any way, shape or form misusing the facility or doing inappropriate things.

There have apparently been some issues. I heard from the chair of the LAC about others having keys to the facility and the number was not quite known. I've asked staff to look into that, and I'm not sure at this point whether that has been resolved or is still in the process of being looked at. When it does come to the issue of contractors using facilities, I know that has been a complaint of some of the rural facilities, including Carcross.

In the case of there, I know there was some direct abuse of the facility, but another significant concern of government when we hear and consider proposals from communities that only local people should be allowed to use the facility is that we also need to be mindful of what happens to the garbage if it doesn't go there. While we will continue to work on ways to reduce contractors using facilities and trucking out of Whitehorse simply to dump it for free at Yukon government facilities, I know that one problem I have seen in my riding — and I believe it has occurred in a few other places also — is people trying to avoid tipping fees and the increase of illegal dumping as a result of it. Government has taken some steps to clean up some of the areas where this was occurred, but more does need to be done. Recognizing how much this behaviour occurred and spiked after Whitehorse put in tipping fees and made changes to their tipping fees, I want to note to the member that, while I do not like to see misuse of our periphery facilities by Whitehorse contractors, Whitehorse businesses and so on, I would much rather see it dumped in the dump at Carcross or Deep Creek or Mount Lorne than dumped in a gravel pit. We need to keep that in mind, and that is one of the reasons why probably a better solution to that is doing what is currently underway through the leadership of

the Minister of Environment and through the good work of the staff at his department in developing the proposed changes to the beverage container regulations, which will create an increased incentive for people to recycle — expand the categories of beverage containers that are covered so that certain products not currently covered will have at least some fee associated with them and some refund.

I trust the member will also concur and recognize that a lot of people probably began recycling pop bottles, juice bottles and so on, not because of a compelling desire to recycle, but because they could get a little bit of money back from the bottles. That is also why a lot of cleanup efforts that are done do rely to some extent on getting the refunds associated with picking up pop bottles, beer bottles, juice boxes and so on. That refund seems to be an important element in incentivizing behaviour.

The other part of it are the changes to the designated material regulations to expand the categories of tires to encompass additional products, including electronic and electric products. What that means in the end is that the fee is charged up front and that means there is no tipping fee for those products at municipal facilities or Yukon government facilities. Particularly with products that have any toxic materials in them, I think that's something we need to continue to work on and continue listening to Yukoners about as we do the consultation on what is included in the final product. We need to continue to take a phased approach on increasing the number of products that may be significantly problematic in the environment.

If we increase the coverage of those to the point where people do not face a disincentive to the responsible behaviour of dumping it at a solid-waste facility or transfer station, it hopefully will reduce the abuse of the environment by people through illegal dumping that has occurred in certain areas, both on government property and on First Nation land.

I want to tie that back to the member's suggestion about restricting it from contractors using it and just note that, while we recognize the problem and will continue to work on it, we don't want to create a worse problem by moving in the wrong way to tackle the problem of people dumping garbage at facilities in the periphery, but we do recognize that as the end outcome, there are additional costs to government for dealing with waste that originated from businesses within the municipality. It's certainly something that we would like to see improved.

I noted continued collaboration with municipalities, especially the City of Whitehorse, because of how key a role it plays in both being the first implementer of some of the major initiatives to improve recycling waste diversion and the fact that they are where we truck garbage from transfer stations to. They remain a very key partner and we remain committed to working with them and the business community and citizens to look at ways to improve the cost-effectiveness of the operations of waste management system and to continue as well to increase diversion and increase recycling.

Other municipalities and community groups that provide those services are also very important partners to us. As I

mentioned earlier, the “Our Towns, Our Future” Solid Waste Advisory Committee has identified a number of long-standing issues and has identified some solutions to that. It was formed in 2013 to address issues, including the regulatory environment, financial sustainability, landfill liability, fees and charges, peripheral users, regional landfills, waste diversion, extended producer responsibility, training and education and community involvement.

As the Member for Mount Lorne-Southern Lakes will be aware, this issue did come up and had discussion on several occasions at the Association of Yukon Communities meeting. As I mentioned during my speech at that, we will continue to work directly with municipalities and under the “Our Towns, Our Future” umbrella to continue to identify collaborative solutions and partnerships that can improve the management of our solid-waste system, can increase recycling, reduce costs and improve handling as we move forward.

That process is certainly not without its challenges for government or municipalities, but we’re committed to working with them in meeting those challenges. We have come a long way in a very short time in the territory, at a municipal level and at a territorial level, in improving how waste is being handled, moving away from past practices that were not environmentally responsible and improving the diversion and recycling that we’re doing.

Mr. Silver: I would like to begin by thanking the department officials for their valuable time here today and thank you to the Member for Mount Lorne-Southern Lakes for his questions. He has touched on quite a few of my questions, so I hope not to be redundant and I apologize in advance as I jump to and fro from topics here, filling in those blanks.

The sewage lagoon in Ross River has been leaking ammonia at twice the allowable rate, as reported last summer. The Yukon government agreed to decommission the old sewage lagoon and build a new one. As of September 2013, this has not been done. An independent consultant had been hired to look at options for upgrading the replacement of the sewage lagoon.

My question to the minister would be: What is the status on the construction of the new Ross River sewage plant and what is the expected cost of building this new sewage lagoon?

Hon. Mr. Cathers: First of all, I would correct the member — it is a septic pit, not a sewage lagoon.

I believe I answered most of his question earlier in responding to the Member for Mount Lorne-Southern Lakes. There is \$1 million in this year’s budget for replacing this and as I mentioned earlier, some additional discussion needs to occur with the community to locally construct the facility. I believe the community has agreed on the location for a new lagoon. Recent information from the consultant suggests the construction may not be possible to complete in one construction season, due to the potential need for permafrost to be stabilized prior to commissioning the facility.

Again, I will reiterate the fact that the issue of non-compliance with the water licence is being acted upon. The commitment of \$1 million in this year’s budget toward the solution is a very tangible and important investment in doing

that. Government is continuing to monitor the water at the septic pit and monitoring to date shows that leakage from that septic pit area is very localized and at a safe distance from the community. But of course, as I noted earlier, we are committed to implementing a long-term solution that is fully in compliance with the appropriate standards and with the standards from the Water Resources branch.

The recent information from the consultant suggests the construction of a new facility may not be completed in one construction season, but the money is committed to doing that work. The consultant’s services will also include estimates for closure of the existing pit and location and capacity requirements for a new disposal facility. There will though in the process — because this is taking a bit of time, the member should not be surprised if he sees an application to amend the existing water licence to legitimize continued use of the pit because some of the issue of non-compliance was simply administrative in nature and due to an administrative oversight that resulted in staff previously not taking action to update the water licence.

That work is being done. Again, \$1 million is in this year’s budget, which I hope the member will vote for.

Mr. Silver: Don’t hold your breath.

I guess with that \$1 million — that was the question really. The minister has mentioned before that it might not take place over one complete season. I guess the question is: Is that \$1 million for the total construction, or is there more money coming down the pike?

I will move on. Staying in Ross River, why was the solid-waste contract in Ross River cancelled in the last couple of weeks? When will it be retendered?

Hon. Mr. Cathers: I’m not going to speak too much to the details of the contract structure. I have not personally reviewed the contract. With contracts of that level — as the member may be aware or should be aware — ministers, including the Minister of Community Services, review a very heavy volume of paperwork but that does not include the specific wording of every contract issued by Community Services out of our budget.

I’m not familiar with this in particular, but I understand there were some technical issues with it. Determination was made by staff that there should actually be some restructuring of the contract before the contract went through the process and resulted in an award, and so staff made that change accordingly.

Again, not having reviewed the specifics of the contract, I’m not going to get into speculating on the specifics there, but I understand it was done for good reason as a result of something that ideally should have been recognized before the contract went out the door.

The \$1 million in the budget for the new sewage facility in Ross River, I believe, is the current estimate around total cost. As I mentioned to the member at reading the recent note, it was recent information from the consultant that indicated that in fact it very likely would not be possible to fully complete the work this year because of the issues around permafrost. Some of that, I would think, will not be fully

known until they've actually started digging the ground and taken a look at that. At this point in time, we anticipate that some of the money might be revoted, but until that work is actually being done and staff can assess what is and isn't there from a permafrost standpoint, as the consultant is currently or recently predicting it may need a second year to allow time for that permafrost to stabilize. If that is the case then some of that money will be revoted. If that is not the case then it will be expended.

Mr. Silver: Thank you to the minister for his answer. Just to be clear, back to the solid-waste contract, the minister is confirming that it was cancelled. The website for tenders is saying it is closed and award pending. Just for verification, is the minister confirming that the solid-waste contract in Ross River has in fact been cancelled?

Hon. Mr. Cathers: Yes, that's correct. What I'm advised by officials is the contract was cancelled and will be retendered due to specific issues in just how the contract was structured. This is on an operational level, although I do review a great volume of documents on a daily basis, this does not extend to each and every contract. This contract is included among the ones I am aware of but have not actually read the details of. My understanding is that it relates primarily to provisions that staff wanted in there to ensure it allowed for the possibility that, if government makes some changes in the site operations of the facility, it would not lock government into specific provisions that would prove problematic or result in a higher cost for us to change at a later date because of the contract structure. That's as much detail as I think is appropriate to get into at this point in time. Again, the specific structure of the contract ideally should have been addressed before going out the door, but staff felt it was necessary to take the action they did. I support them in making that operational decision.

I should note that the contract will be restructured and will be retendered.

Mr. Silver: I thank the minister for his answer. I'm going to move to the ambulance bay, the dispatch facility. In December 2013, I asked the minister to explain why the transfer of the dispatch facility of the new ambulance station had yet to occur. The minister indicated at that time that the holdup was related to ongoing discussions with the RCMP related to combining dispatch services.

So, Madam Chair, I was wondering: Has the dispatch facility been transferred yet and if not, where are we with those discussions with the RCMP?

Hon. Mr. Cathers: Moving forward with this facility was a platform commitment we made — an important priority to get it done quickly because of the specific commitments we had made around providing for a more centralized ambulance station that would improve response capacity within Whitehorse and to rural areas such as my riding and those south of town.

As part of that design, the decision was made that although discussions between the RCMP and Community Services were at an early stage about integration of 911 dispatch and additional work needed to be done, should it turn

out that integrated dispatch was not possible, then there would certainly be no difficulty in repurposing the space and it would be appropriate to include it as part of the new facility. We also anticipate and expect that those discussions will result in an agreement around integrated dispatch, but there are a number of technical issues that are being worked out back and forth. Some of the things that can create additional complexity are the other partners and the consideration of expanding the 911 service to other parts of the territory.

I should also note that between the fall sitting and now, one thing that has taken up a not insignificant amount of staff time is the direction that I gave to them to work with Northwestel on implementing an interim solution on 911 — that being the one that has resulted in the ability to press 1, 2 or 3 for fire, police or ambulance.

It has successfully been tested in all Yukon communities with the exception of Old Crow which, due to the remote nature and satellite nature of that town, would require a different system. That system has been tested, and we expected to have it fully operational at the end of March. It was only because of the letters that we received from the CRTC advising us that in fact Northwestel could not operate the system until CRTC had reviewed that proposal that we are currently in the process of working with Northwestel around determining the requirements for submitting an application to the CRTC. I also have a phone call scheduled with the CRTC commissioner to discuss this and gain clarity from them on the process, the timelines and impress upon him the sense of importance that we attach to moving forward in this area.

I would also like to thank the Association of Yukon Communities for their resolution supporting government moving forward with the interim 911 solution while acknowledging their request in the resolution that we continue to work on the broader project. We are committed to continuing to work with all our partners on expanding 911 within the territory, but we need to recognize the specific concerns we have heard from certain municipalities about dispatch and understanding the importance that some attach to the local knowledge that can be necessary on the part of a dispatcher when a caller calls and describes a location rather than an address.

There are a number of challenges that need to be addressed.

As the original 911 in Whitehorse project had its own complexities and took some time, a project to expand it to other areas of the Yukon is more complex because it does involve a significantly increased number of other agencies, municipalities and individual units, such as EMS and fire departments that may be either, in the case of fire departments, municipal in nature or, in the case of EMS and certain fire departments, under the auspices of the Fire Marshal's Office. However, each unit, regardless of it potentially being part of the Yukon government, does have specific needs, interests and probably concerns and perspectives that we need to understand and need to take into account to ensure that, at such point as a 911 dispatch system is provided within the territory, all of the bugs have been

worked through and we don't end up with a reduction in services as a result of taking that step.

I should also note that some of the feedback that I received over the weekend in Dawson — both at the AYC meeting and in talking directly to first responders in Dawson City — was very positive with the fact that government had moved forward with an interim solution and made the choice to act quickly on that area and continues to work with partners on the broader project. Again, we appreciate that recognition at a community level.

Going back to the specific question that the member asked about the emergency response centre at the top of Two Mile Hill, that space was designed and constructed through consultations with the RCMP. We do expect there will be an agreement to work together on integrated dispatch, but we felt at the time the decision was made — I should actually note that the decision, in terms of the finalized design, goes back to the previous mandate — not just to my predecessor, but to the minister before that. The decision was made not to delay the project because discussions with the RCMP had not concluded. The decision was made also that, because we expected success at the end of it, it would be better to design the facility so that it would accommodate integrated dispatch, including the RCMP, and, if an unanticipated outcome occurred so that it was not possible to come to an agreement with the RCMP, it would not be difficult to repurpose that space.

Again, we do expect that ultimately we will reach an arrangement with the RCMP that will improve the dispatch structure, but there are a number of technical issues that need to be addressed as part of that process.

That work has not yet concluded and, as I believe I informed the House earlier, for us to move our EMS dispatch up there right now, without having partners there, would actually reduce the backup capacity that the single operator there receives from other crews in the building who are easily accessible in the event that the person needs to go to the bathroom or has more than one phone line ringing. We're not going to make that move until that arrangement has been concluded with the RCMP, because to do so prior to that would have one of two results: we would either see a reduction in the operational capacity that we currently have, or we would see increased costs. That is why that section of the facility — there is an individual room in there as well that is separate from the main part — will remain vacant until such time as the final arrangement is concluded with the RCMP.

Mr. Silver: It's good to hear that the minister does have a plan B for repurposing here. It might come in handy.

I was glad to hear him touching on 911. I would like to continue on that. On April 10, I asked the minister about a letter from the CRTC that he had received surrounding the testing of the 911 auto-select system. The letter stated that — and I quote: “The Yukon interim rural 911 emergency response access system service purposed in your letter does not meet basic 911 or enhanced 911 services definition.” But we are moving forward with this. The minister said that they would be applying for a tariff to have the system qualify.

I want to know what the status is of that application. It is my understanding that any service provider would have to have the minister actually formally ask for this tariff application and from what I understand, that has not happened yet.

Is asking the CRTC for this tariff the responsibility of the service provider, or is it the responsibility of the minister responsible and if it is the responsibility of the minister responsible, has he done it already?

Hon. Mr. Cathers: I know in quoting this section of the letter or in reading the speech written for him about this letter that the Member for Klondike, the Leader of the Liberal Party has not quite recognized the fact that as laid out in this March 24 letter from the CRTC, they use technical definitions. They have something they call “enhanced 911” and something they call “basic 911.” That does not mean that other models are not possible and in fact, while their letter notes that our interim 911 emergency response system service does not meet what they consider to be the technical definitions of basic 911 or enhanced 911 service, there is therefore no obligation for a Canadian carrier to provide such a service; however, a Canadian carrier could seek commission approval to provide such a service, pursuant to a tariff.

Again, we are working right now and working with Northwestel as well to determine what the appropriate details are in making an application to the CRTC and how exactly that occurs, what the role is of Northwestel and what the role is of government in doing that.

As I mentioned, I have a call scheduled with the CRTC commissioner to talk directly to him about this issue and to impress upon him the importance that we attach to operating this as an interim solution as an immediate net enhancement to what is currently available in Yukon communities. I would point out that though government is not as intimately familiar with the CRTC requirements, not dealing with it as regularly as the telecommunication company, that was why we were not aware — and also initially Northwestel was not aware — that the CRTC would not allow us to operate the interim solution. We expected it to be fully operational prior to the end of March. It has been tested and, so again, for what was a project where the direction to proceed on it was given in the fall, I thank staff and thank Northwestel for their quick action in implementing that direction and successfully implementing the technical components and the technology to make that system work. Were it not for the role of the federal regulator in indicating that we could not currently operate the system without their approval, that system would be operational today. In the case of the fire that occurred in Dawson City, where it should be noted that actions of local citizens were an important part of preventing someone from perishing in that fire and addressing the situation, I would like to commend the citizens. I have heard directly from one fellow that he doesn't consider himself a hero, but whether he considers himself that or not, he is indeed a hero in the view of government, and I'm sure in the eyes of the person who he pulled out of the house.

Based on what I understand from the fire chief for Dawson and from other reports, it certainly seems that, in a

situation like that, the fire department would have been reached significantly sooner with the 911 interim solution, which would have allowed someone to press “2” for fire upon reaching the 911 recording. This would have improved the response time. That is why we remain committed to moving forward with it, to seeking clarity from the CRTC and to impressing upon them the importance of allowing us to use this interim solution while we work on the broader project.

I should also note that some of the feedback I heard from some of the emergency responders in Dawson City over the weekend was not only a positive response to this plan, but there were questions from some of them about whether moving to a dispatch system that was not located in the community would even improve service, or whether this might be a good long-term solution.

I’m not sure that the CRTC would be receptive to that, and that’s one of the things we’re seeking clarity on.

We’ve heard from the Dawson City fire chief and others who do take a different view and believe that it is important that a dispatcher in place at the end of that — rather than individually going to the current emergency lines in Dawson City, which is what the 911 interim solution would do. Those different perspectives — and notably the different perspectives of the Mayor of Dawson City and the Mayor of Carmacks — on what steps are appropriate in this are good examples of why government implementing a 911 integrated dispatch solution is not just a technical exercise but is an exercise in partnership, in consultation, in discussion, in reconciling differing opinions of municipal leaders and those responsible for the various agencies.

While it may be easy or fun for members to try to score political points and suggest government should do it quicker, we believe that it is very, very important to work with all of those partners and have a comfort level by all of the key partners — and those include municipalities, the RCMP, fire departments, EMS units. It’s very important, in our opinion, to work with them to ensure that everyone is comfortable — that change made to the emergency response system is a net improvement to the system to ensure that everyone is comfortable, that those changes do not create any gaps or unanticipated problems, and that we have both the technical, logistical and human components of the solution well understood and thoroughly discussed and understood by all and that we have a common view of what steps should be taken.

I know that the member has suggested that government should just get it done and that he thinks that getting a project manager would just get it done, but I would point out to the member that what we are hearing from partners is very different from the political position taken by the Leader of the Liberal Party. Regardless of what criticism the member may wish to levy, I will listen and this government will listen to all mayors who have a viewpoint on this and treat very seriously their concerns and questions.

We will work with all of the emergency response agencies to ensure that their concerns, questions and issues are

addressed as part of this. This is not something that is going to happen overnight. I should also point out that the —

Some Hon. Member: (inaudible)

Hon. Mr. Cathers: I hear heckling from the Member for Mayo-Tatchun, but if the member would actually talk to the Mayor of Carmacks, the member would perhaps understand that there are different views on this and there are specific concerns and questions by municipal leaders — from some, even, about whether moving to an integrated dispatch system would be a net improvement or would increase response time.

While I personally believe that ultimately moving to an integrated territory-wide dispatch system is probably the right end outcome and that the technical, logistical and local knowledge issues can be addressed, we will treat very seriously the concerns and questions of municipal leaders, regardless of what position other members choose to take on those opinions. We will continue to listen to them and we will continue to work with them. That is why we worked on this interim 911 solution as a quick technical solution that would immediately improve emergency response in Yukon communities, particularly for anyone who didn’t know the local exchange and dialled 911. They would then — as a result — have the option of pressing 1, 2 or 3 and immediately going through to the proper current emergency number in those areas.

Madam Chair, seeing the time, I move that you 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. 14, entitled *First Appropriation Act, 2014-15*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Cathers: 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 5:26 p.m.