

Whitehorse, Yukon**Thursday, May 24, 2007 -- 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES**In recognition of women's right to vote**

Mr. Elias: I rise today on behalf of the Assembly to pay tribute to women's right to vote in Canada. Before Confederation, the exclusion from the vote was a convention rather than a law, but in 1867 the *British North America Act* entrenched this exclusion. The movement for women's suffrage, the right to vote, started surfacing in Canada as early as the 1870s but didn't really gain force until the turn of the century.

Women were repeatedly told that nice women didn't want to vote. Nellie McClung was an instrumental figure in winning the right to vote for women in Canada. In 1914, in her groundbreaking mock Parliament speech, she portrayed a world in which gender roles were reversed. She speculated on all the horrible things that would happen if men were to get the vote. Thanks to the *Wartime Elections Act* of 1917, some Canadian women got to vote in federal elections during the First World War. Women such as nursing sisters who served in a military capacity were proposed as the first to be eligible to vote in federal elections.

In September 1917, the franchise was extended to Canadian women over the age of 21 if they were the wife, widow, mother, sister or daughter of someone serving overseas. This was considered temporary legislation, good for the duration of the war.

In Canada on this day, May 24, 1918, *An Act to Confer the Electoral Franchise Upon Women* was enacted. It came into effect on January 1, 1919.

The women's franchise act of 1918 went a step further, allowing women to vote in federal elections as long as they met the same requirements -- property ownership and racial requirements, for example.

The 1920 franchise act did away with a number of general voting restrictions including property ownership. However, the act still allowed for a number of racial and religious exclusions, including Asians and aboriginal peoples.

Women were granted the vote, province by province, starting in 1916 in Alberta, Saskatchewan and Manitoba and ending in 1940 in Quebec.

In the Yukon, on May 20, 1919, an ordinance respecting elections -- or an elections ordinance -- was proclaimed and women gained the right to vote and stand for election.

Federally, First Nation people were granted the vote in 1960, and in the Yukon First Nation people voted in the territorial election in 1961.

This Legislative Assembly elected its first female member in 1967. My daughter, who is studying this topic in school, asked me recently, "Why weren't women allowed to vote back then?" I couldn't provide an answer except to mention our two female members of this Assembly and the contributions they make to our Yukon as ministers of the government.

On this day, May 24, we should recognize the struggle women have endured to gain the right to vote and thank them for their perseverance.

Thank you. Merci beaucoup. Mahsi' cho.

Speaker: Are there any further tributes?

Introduction of visitors.

Are there any returns or documents for tabling?

Reports of committees.

Petitions.

Are there any bills to be introduced?

Notices of motion.

NOTICES OF MOTION

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

THAT this House do issue an order for the return of a copy of the annual report to the minister about the activities of the rate stabilization fund, as set out by order-in-council for each of the past four years.

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

THAT this House urges the Government of Yukon not to use its majority in an arrogant way to close debate on issues it does not want discussed, such as amendments to the *Human Rights Act*.

Speaker: Are there any further notices of motion?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: First Nations, government relations with

Mr. Fairclough: I have a question for the Premier. This morning, the Supreme Court of the Yukon released a decision that dealt a severe blow to this government's claim that it works cooperatively with Yukon First Nations. The case brought forward by the Little Salmon-Carmacks First Nation centred on a 2003 agricultural lease that was given out by this Yukon Party government. The judge ruled today that the Yukon Party government failed to adequately consult with the affected First Nation and with the trapper who had a trapline in the area.

Does the Premier accept the ruling that came down this morning?

Hon. Mr. Fentie: First, the government would not in any way, shape or form compare this to cooperative work with First Nation governments or any government in the territory.

Everyone, First Nations included -- governments, municipal or otherwise -- has the right to litigate and go through the courts. So it has nothing to do with our cooperative work with First Nation governments. In fact, the government side would never be that arrogant.

Finally, on the member's question, this is an extensive ruling consisting of many pages. Of course, first we will have the ruling fully assessed and critiqued and decide from there what the next steps are. We on the government side will always respect the courts. We do not visualize ourselves as judge, jury and counsellors. We will work with the system as we are obligated to do and I hope the Official Opposition would recognize that same obligation on this matter.

Mr. Fairclough: The judge was quite stinging in his rebuke of the government's action. He said the government conducted only courtesy consultations that were not meaningful. In fact, the trapper in question was not even informed of the government's decision until after a decision had been made -- so much for respectful government-to-government relations with First Nations.

Will the Premier admit that his government did not adequately consult with the First Nation in question, and does he agree with the decision the judge made?

Hon. Mr. Fentie: The Member for Mayo-Tatchun is taking a great deal of licence by inserting his opinion on what the judge's view was, or the judge's rationale, or any matter that resulted in the decision that was brought forward by the Supreme Court -- and the members opposite constantly accuse this side of being arrogant.

On this matter, a court has ruled. We will fully assess the ruling. It's very extensive and I would also submit to the members opposite that it is highly complex. This is a legal matter of the highest order. We will do our work, as we should. We will sit down with the relevant officials on the matter. There will be a thorough analysis of the very extensive decision and the ruling itself and, from there, we'll decide the next steps.

We do not view this as a stinging indictment or a rebuke or anything of the sort. In fact, we view this as the course of due process, which all in Yukon have the right to access.

Mr. Fairclough: Mr. Speaker, a Supreme Court Judge said some very strong words about this government and how they treat First Nations. He did not think much of the government's arrogant approach to consultation. He told them to start over again. In this case, the judge said that the Yukon Party government conducted only courtesy consultations. They were not meaningful -- this from a government that brags about its good working partnership with First Nations. The judge basically told the government to start over, and this time do it right. Is the Premier going to comply with the court's decision?

Hon. Mr. Fentie: Mr. Speaker, the Member for Mayo-Tatchun has now demonstrated what we suspected all along, that the Official Opposition do envision themselves as judge, jury, counsellor and so on. We don't. This is a court ruling, a court ruling on a matter that anyone in the Yukon has a right to table before the court, present to the court and seek a ruling by the court. There are due processes throughout this whole issue.

We are at a stage now where due process has resulted in a decision by a judge here in Yukon. We will analyze the decision. As I've said before, and I'll repeat, it's a very complex, detailed decision. The legalities of this matter are of the highest order. Once that analysis has been done, government will decide on next steps. We haven't predetermined anything, as the Member for Mayo-Tatchun has. That could be a good reason why the Member for Mayo-Tatchun has been in opposition for such a long time.

Question re: Bonnet Plume Outfitters

Mr. Fairclough: I have a question for the Minister of Energy, Mines and Resources on the Bonnet Plume court case.

I would like to begin by informing the House that I did make an error in my second question yesterday by asking the government if they initiated a court action against the mining company. I of course meant to say "the outfitting company".

Last year, I raised several questions about cabins constructed by the Alberta-based outfitter in the Bonnet Plume area north of Mayo. Last fall, the Yukon Party initiated a court case asking that the buildings be removed. After a setback in April of this year, the minister confirmed yesterday that the government intends to continue the court battle. I would like to know when.

Hon. Mr. Lang: The court case is in the process. I don't know the legalities of it, but I have been instructed that it is going ahead. I can't comment on that issue in the House here.

Mr. Fairclough: Now, Yukoners are watching this case very closely. After months of refusing to take a position on the issue, the Yukon Party government finally agreed with the position taken by us in the Liberal caucus, by the Na Cho Nyak Dun and by law-abiding citizens across the territory -- namely, that you can't just show up on land you don't own and start building cabins. You have to have permission.

The government took this matter to court. There were some problems with the lawsuit and the court was adjourned. At the time, the minister's officials said that they intended to get right back at it. According to the radio report, they intended to decide within one week how to proceed with court action. This was six weeks ago. When is the government going back to court with the outfitting company?

Hon. Mr. Lang: In answering the member opposite, the process takes time. I've been informed that it is going to court again and I can't comment on it as long as it's in that process.

Mr. Fairclough: The minister on the government side knew about this matter two years ago in 2005. The government has also started court action against a second outfitter in the Haines Junction area over the same issue -- building a cabin without permission. Again, there was no word on this case for a number of months.

Is the government still proceeding with this legal action and when will it get back to court?

Hon. Mr. Lang: In answering the member opposite, I would have to talk to my department about the second issue and I would commit to give him communications on that, but I can't answer that question at the moment.

Question re: Nurse shortage

Mr. Hardy: The nursing crunch facing Yukon has been coming for a long time. It was an issue when the NDP was in government over a decade ago. The president of the Yukon Registered Nurses Association confirmed that again this morning. It's a national problem -- it is an international problem. The minister says he doesn't want to micromanage and that's good -- we've seen micromanaging health ministers before. However, I was pleased to hear the minister say yesterday that his role is to provide policy, guidance and financial support.

Given this government's healthy financial situation, will the minister provide additional financial support for his department and the Yukon Hospital Corporation Board to deal with the monetary issues that make it hard to recruit and retain nurses in the Yukon?

Hon. Mr. Cathers: I thank the Leader of the Third Party for his question. Certainly this is an area of great importance and, as I've mentioned before in the House, we have stepped forward with initiatives such as the \$12.7-million health human resources strategy, including components of increasing and significantly expanding the bursaries for Yukon students seeking nursing education and the creation of the new nurse mentoring program, which is something that nurses in the Yukon have been after for -- I believe it has been around a decade that they have been asking for this initiative.

So we have stepped forward. We recognize that there is more that needs to be done in this area, and we look forward to working with them in here.

As far as the hospital's specific issues, as I have pointed out before, when we inherited the leadership of the territory and were elected to this position -- under the former Liberal government's watch, funding to Whitehorse General Hospital was a mere \$18.1 million. Last year in O&M funding we provided \$32.8 million, an increase of \$14.7 million -- certainly a significant increase. We will continue to work with the hospital and with the professionals if challenges are identified in meeting those challenges.

Mr. Hardy: I'd like to remind the minister that it is not just about the money as well.

In 2005, the Canadian Nurses Association published its strategic directions for a planning framework for health human resources. They said we needed a supportive working environment that addresses professional and personal needs, strategies to support the health and safety and the balance between professional and personal lives. Yukon has a long way to go.

Nurses applying from outside the Yukon want full-time work with benefits and pensions. When all they are offered is auxiliary, on-call positions, of course they are going to go somewhere else where the offers are better, and they are better.

We saw an article yesterday about an experienced nurse who has given up on the Yukon because it is just too frustrating. If the minister's role is to provide policy, guidance and financial support, will he be giving any guidance to the department and the Hospital Corporation to adopt hiring policies that will make Yukon nursing positions more attractive to nurses applying from Outside?

Hon. Mr. Cathers: I appreciate the question from the Leader of the Third Party and I would point out that with these areas, the minister does not micromanage the operational issues, nor should I. I don't think the member would encourage me to. However, whenever there are concerns raised, standard procedure is to ask the question, as I have done, of what challenges there are. It is, in fact, an ongoing dialogue. If there are challenges, we work with those involved -- the managers within the department or with the Hospital Corporation as an entity, through the board of directors, and we work with health professionals, such as the Yukon Registered Nurses Association, in determining the appropriate steps for addressing those challenges.

I am pleased to hear the member's comments noting that it isn't just about money. In fact, he's right. We have stepped forward with the money. We are also focused on issues related to the quality of overall life. It is something that is, in fact, a real advantage that the Yukon has in comparison to our two sister territories. The level of services, our unique culture and infrastructure and the opportunities available in the Yukon make it a much more attractive hiring environment than they deal with. So we play on those advantages. That involves partnerships with other departments such as Tourism and Culture.

Mr. Hardy: We are only seeing the tip of the iceberg. In the next five years, one-third of the Yukon's nurses will be retiring. Even before that, we could lose many more because of the frustrations they face in the workplace. Just today, the minister received a couple of very articulate, well-reasoned letters from people with direct knowledge of the situation. They are very concerned about what is happening. I am sure there are scores and scores of others who have similar insights and experiences to share.

The minister needs to listen to people like this. Our policies and practices need to reflect their concerns if we want to create a positive working environment for our health professionals. Now that the minister has had time to reflect on my proposal to contract a health human resources expert to assist in his decisions on policy guidance and financial support, will he now agree to act on this idea and provide the funding for it?

Hon. Mr. Cathers: Mr. Speaker, the member's suggestion yesterday is still being considered, especially considering the context of work that has already been completed. Consultants have been hired in the past to do reviews of our system. We're going to take a look at what has been done, what might need to be updated, and also take into consideration the surveys that have been done, including one that I believe concluded last month, surveying rural nurses on issues related to their jobs. That's something that is dealt with on an ongoing basis through the department and through working with the Yukon Registered Nurses Association.

So the member may not be aware of it, but we have taken a number of steps already and are working on a number of others. We want to consider what has been done rather than simply making a decision without doing due diligence on that. But I do appreciate the member's suggestion and would point out once again and emphasize that my desire and this government's desire is to work with the health professionals in addressing the

needs within the system, addressing both the challenges today and preparing for the challenges five, 10 and 20 years down the road, taking the long-term view in ensuring the Yukon's health care system adapts to address the challenges that we face in the future and that that approach, that vision, is dealt with by all who are involved, including especially health professionals in the field and that those steps are taken. We look forward to continuing that work.

Question re: Affordable housing

Mr. Hardy: Now, good question here: the vision statement of the Yukon Housing Corporation reads as follows: to enhance the quality of life in the Yukon by providing safe and affordable housing choices that respond to the needs of Yukon residents.

Does the minister responsible for the Housing Corporation agree with that vision statement, and does he agree that it refers to all Yukon residents, not just certain ones?

Hon. Mr. Kenyon: The Yukon Housing Corporation has a number of different programs. We maintain approximately 550 units for rent geared to income. We have put \$1.6 million into the joint venture program, \$150,000 into the rental suite program and \$100,000 into the rental rehabilitation program. We have also created 48 new social housing units in Whitehorse and six more in Haines Junction. We continue to deal with this overall problem.

We do now have a reasonable program in place for victims of abuse and for medical transfer from the communities for people who need to be closer to housing here. We have been responding to those needs.

Mr. Hardy: I don't believe the question was answered. The minister said yesterday that the Yukon Housing Corporation maintains approximately 550 geared-to-income rental units. With the exception of the athletes village, the vast majority of those units were built a very long time ago. The minister has taken a variety of positions on this question. First he said that it was a private sector issue. There is a market and there is a need, but the private sector is not responding because there is obviously not enough of a profit margin. Then the minister raised some kind of red herring about city zoning. So far he hasn't tried to pin the responsibility on the service clubs, but that wouldn't surprise me either, Mr. Speaker.

Let's talk dollars and cents. The Yukon government is in the process of deciding how to use approximately \$17 million of northern housing trust money that is meant to provide affordable housing. How much of that money does the minister plan to use to address the needs of the market I have just described?

Hon. Mr. Kenyon: Yukon Housing Corporation has been able to put together leveraged federal funds, tried to keep the costs down where possible and has leveraged a variety of programs. If the member opposite has any personal knowledge of repairs necessary for homes that are under Yukon Housing Corporation's purview, I would certainly appreciate him giving me that information because that's not what we are told by the corporation or by the residents. We have responded to every concern that has been given and we've certainly fulfilled all our obligations in that sense.

In terms of the \$17.5 million that continues to be discussed -- and at the moment lies within the Department of Finance -- Yukon Housing Corporation will provide whatever assistance and input it can along the way.

Mr. Hardy: I get the impression that the minister doesn't support the vision statement of the Yukon Housing Corporation. If the minister did a little research, he would see that other Canadian jurisdictions have recognized the need to act. Even the B.C. government, which is not the most progressive government around, took a remarkable step by quietly buying up a number of residential hotels to prevent a crisis leading up to the Olympics. The City of Toronto is on a major push to build social housing. They recognize a need for their people.

What we are seeing here is the opposite. The government essentially buried a plan by the Grey Mountain Housing Society that would have provided jobs, training and a stock of affordable housing. The Yukon Housing Corporation has basically crippled the one existing housing co-op in Whitehorse.

If it's not in Yukon Housing Corporation's current mandate to ensure an adequate stock of low-cost housing for Yukoners, will the minister bring forward the necessary amendments and funding to make it happen? Will he do that?

Hon. Mr. Kenyon: The member opposite hits on a couple of different things in there. First of all, on the proposals that were done for manufacturing of homes, I believe we contributed \$30,000 toward a business plan to evaluate if this was a viable option. It was determined at the time that no, it was not. The situation with the Whitehorse Housing Co-operative is under review right now and I would remind the member opposite, of course, that that goes to the courts -- not to even Yukon Housing Corporation and certainly not the political level -- to make that decision.

We certainly support the vision statement and we do it with rent geared to income: 25 percent of an applicant's income goes toward rent, 30 percent in virtually all the rest of the country. We are the lowest. We have the best programs and, if the member opposite has a little bit of patience, we have many more programs coming.

Question re: Municipal block funding

Mr. McRobb: I'd like to follow up with the Minister of Community Services on a matter brought to our attention today.

It appears likely that the public swimming pool in Faro will be closed for the coming summer. This is a result of the town being forced to deal with a very limited budget. As the minister is aware, municipal block funding hasn't increased in several years despite the huge increases to territorial coffers in federal transfers.

What is the minister prepared to do immediately to help ensure this important summer recreational facility will be available to Faro residents this summer?

Hon. Mr. Hart: We are aware of this situation and our staff is looking into this to see what kind of assistance we can provide to the Town of Faro. Once we have reviewed that, we will get back to him.

Mr. McRobb: That's a little encouraging, but we know this government is sitting on an \$85-million surplus. In addition to not receiving the long-expected increase to the block funding, the Town of Faro, like every other municipality in the Yukon, will suffer higher electrical bills due to this government's cut to the rate stabilization fund. Instead of helping the Town of Faro make ends meet by sharing some of the federal largesse, this government is actually imposing higher costs upon it.

Let's look at trying to work cooperatively together. I have a constructive suggestion and I would state for the record that it's something that we in the Official Opposition would fully support. Would the minister agree to work with his Cabinet colleagues to find the funds, even through a new supplementary budget?

Hon. Mr. Hart: As I indicated earlier, we in the Department of Community Services are reviewing the comprehensive grant currently and, as I indicated, we will be increasing the comprehensive grant effective April 1, 2008.

Mr. McRobb: The minister's promise to increase funding a year from now does nothing to help the residents of Faro have an open swimming pool for the coming summer. We in the Official Opposition just made a statement that we would support a supplementary budget if it's brought in this sitting. We would commit to giving it quick passage in this Assembly.

This is just a small administrative matter for the government to produce such a supplementary budget. It's sitting on \$85 million in surplus that is not spent. Would the minister undertake to confer with his Cabinet colleagues to resolve this problem in time so the pool can be open this summer?

Hon. Mr. Hart: As I stated earlier, we are aware of the situation. We are reviewing it and we will be in contact with the Town of Faro.

Question re: *Human Rights Act* review

Mr. Inverarity: I have a question for the minister who made the decision to adjourn debate on the human rights bill yesterday. Will the minister stand up and tell the House how this government can support human rights and, at the same time, shut down debate on constructive suggestions to improve human rights?

Hon. Mr. Cathers: The member is asking the question of the wrong minister. The Minister of Justice is proceeding with the review of the human rights legislation. If the member was awake during debate yesterday, he would understand that the government wants to do public consultation.

Speaker's statement

Speaker: Order. Before the member asks the next question, the debate here is drifting into one of personal acrimony. I would ask all members to try to control themselves and focus on the issues at hand.

The Member for Porter Creek South has the first supplementary question.

Mr. Inverarity: Mr. Speaker, there are very real individuals with very real human rights complaints in the Yukon today. Individuals with very real complaints are being turned

away from the Human Rights Commission because a human rights abuse happened more than six months ago. That is the law. This law can be fixed and we are the people who can fix it.

Yesterday we proposed amendments to the *Human Rights Act* that would allow more individuals to access the Yukon human rights justice system. This government arrogantly refuses to discuss improvements to the *Human Rights Act*. Is the minister prepared to say this to those individuals who have been denied services from the Human Rights Commission because their complaint is based on an incident that happened more than six months ago?

Hon. Ms. Horne: Mr. Speaker, sorry for the response here. I didn't realize I had cut off the discussion yesterday on human rights. I made it very clear that this government is aware that the act is in need of updating and it is in the process of reviewing the entire act, not just a portion of it.

Mr. Inverarity: Mr. Speaker, this government has lost all credibility when it comes to legislative reviews. The *Workers' Compensation Act*, five years late; the *Children's Act* review, three years late; the education reform project -- who knows when. This government's record on legislative reform is not something to be proud of. Will this government deliver something more than just excuses?

Hon. Ms. Horne: Mr. Speaker, we are exploring the options on how to ensure Yukoners, the opposition and all stakeholders have a say in the *Human Rights Act* and the changes that are required. We are criticized when we consult the Yukoners; we are criticized when we don't. It's very uncertain which way to go here.

Question re: Nurse shortage

Mr. Hardy: I have a question for the Minister of Health and Social Services. It regards something that's very, very dear to my heart and something that I have come in extremely close contact with over the last nine months of my life. That is cancer, and that is treatment, and that is treatment in the north.

Now, over at the hospital, we have a chemo room called Karen's Place. It was put together by a bunch of very generous individuals and contractors -- a place of comfort for people suffering through cancer. People can go there and get some of their treatment -- a very low level of treatment at this present time. One of the problems why we get low-level treatment, one of the serious problems for people, is the fact that the two nurses are on casual. It does not make sense to have casual nurses -- nurses working under casual or auxiliary -- trying to keep a job and working in this environment, a very sensitive environment.

Will this minister give these nurses an opportunity to move out of casual or auxiliary or whatever it is and become full-time nurses?

Hon. Mr. Cathers: I appreciate the member's concern. Cancer is certainly something that has touched friends and family of most of us. I understand his concern. Certainly this area related to the treatment of cancer is a priority, as we have emphasized through such things as making the mammography screening for cancer the project we identified under federal funding for patient wait times. In establishing a wait-time guar-

antee, we want to improve the service and reduce wait times in this area.

The specific request of the member opposite, as far as a classification of job positions, is something that is dealt with operationally. It is outside the minister's control and, in fact, I believe the individuals the member is referring to are not even staff of this government, but staff of the hospital. So, the appropriate place for him to address that request is to the board for their consideration. It is an operational matter that is not under my control.

Mr. Hardy: The government has control over practically every aspect of people's lives in this territory, whether it's a board or a corporation or not. This minister has admitted he has a role to play with the hospital board, with the nurses association, with the Yukon Medical Association and with nurse recruitment. Here is a case where we can get two nurses on full-time. They are treated as equals to other nurses in the hospital.

The answer is very frustrating because that is why we can't recruit any nurses. It's that kind of answer and that kind of attitude is not good enough. It's not getting people up here. We are going to have a shortage.

My concern is that this minister received a letter from a constituent, I believe -- I have a copy of it -- in which the person has just been diagnosed with cancer. Yes, Mr. Speaker, I will get to this. It's a hard one to get around. She has already had to reschedule her treatment. With cancer, you can't be re-scheduling treatment too often.

Will this minister put more resources in the cancer ward, the chemo room, and the treatment that we have up here? Will he do that?

Hon. Mr. Cathers: Again, I certainly do appreciate the member's concern and point out that we have identified, out of the patient wait-times funding received from the federal government, that the mammography screening for cancer will be the priority that we invest in in this area. This government is committed to establishing a wait-time guarantee pilot project.

With regard to his specific request, the classification of staff positions at the hospital and the specific allocations to individual departments at the hospital are dealt with by the hospital board under the *Hospital Act*. I have to remind the member that unless the member is suggesting that we simply get rid of that legislation and the independent set-up of the hospital to run its own operational affairs, this is something that is entirely outside of the minister's hands. We can work with them. We are happy to work with them in any area, but we don't make those specific decisions. I hope that the member is not urging me to micromanage those affairs, especially when it would be in contravention of legislation.

Mr. Hardy: Let's not have this minister go sideways and try to shift the blame or avoid taking responsibility. He is the Minister of Health and Social Services. He does have a role to play. I wish he would take more responsibility in that.

Let's talk about cancer. There are 75 to 85 cases every year being added to the list. Many people from out of the Whitehorse area do not have homes to go to. I went Outside for my cancer. There was a place for me to stay. That place was a life-

saver -- that's an absolute lifesaver. I can assure you, Mr. Speaker, that there was not a single day I was down there when there were not other Yukoners there -- up to nine Yukoners were staying at the lodge and getting that support out of a B.C. clinic -- support that was so desperately needed. Over 150 Yukoners stay there.

We need something in this town that gives comfort and support to those suffering from cancer. The list is growing. We need a commitment from this government that they will work with the Yukon Hospital Corporation Board to try to address this growing need -- one of the biggest killers in our society today.

Hon. Mr. Cathers: Again, I appreciate the member's perspective and his concerns, but in fact what he is requesting is exactly what we're doing. We are working with the hospital board and corporation, and working internally on this issue. In addition, we are committing to new funding through the patient wait-time guarantee trust fund that the federal government has set up to reduce the wait time for mammography screening. We recognize the importance of this and its impact. Certainly cancer has had a personal impact on many of us through the loss of family and friends. We recognize this and are committed to working in this area and continuing work in this area. Operational matters are not in the minister's hands. They have been deliberately and very specifically set outside the minister's hands through legislation. We respect the legislative requirement of a separation of personnel matters from political interference.

We work with those who are in charge of those areas. We resource and assist them in the steps being taken. This is an approach this government has taken on many issues. We work in collaboration rather than in an adversarial manner. We work with our sister territories, with the federal government, with the Whitehorse General Hospital and Yukon Hospital Corporation and with professionals and so on in addressing these matters. We will continue to do so.

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

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 73

Clerk: Motion No. 73, standing in the name of the Hon. Mr. Cathers.

Speaker: It is moved by the Government House Leader

THAT this House establish an all-party select committee on anti-smoking legislation, with a mandate including touring the Yukon to consult with the public on legislative options for banning smoking in public places; and

THAT the motion establishing such a committee be tabled and called for debate during the 2007 spring sitting of the Legislative Assembly, thus enabling consultation to be carried out in 2007.

Hon. Mr. Cathers: It gives me pleasure to rise today to this motion and urge all members to support it. Certainly this is an area that has been recognized as an area of concern. We have had some debate already in the Assembly on this issue and I would commend the Leader of the Third Party for his contribution to this debate through the tabling of a private member's bill on this topic to address this issue.

I will not spend a significant amount of time repeating what I have already said on the floor of this Assembly. I will simply note in the interests of moving forward with this that this is not a partisan initiative. It is an important issue, an issue that public perception and opinion has evolved on over time, from a time not so many decades ago when it was quite common within Canada to have smoking in places of business -- and in fact, in some circles, was considered rude not be presented with a cigarette upon reaching a place of business -- to a time when, after years of steps such as the government steps in preventing smoking in all Yukon government workplaces, having them smoke-free, and steps that have been taken by municipalities, such as the City of Whitehorse, in restricting and banning public smoking. The initiatives have evolved over time, public opinion has evolved over time and the understanding of the health impacts of smoking have evolved over time, and this is the next step in this area.

This government, over the past three years, has invested significantly in increasing investment in initiatives such as the QuitPack and in public education and things such as the stages of change campaign, the "I love you but..." campaign and to assist people in breaking their addiction, to target youth for education, recognizing the impact of smoking. I'm sure members have seen banners that have been around town, displays on the sides of buses, to name but a few of the initiatives that have taken place through the good work of the department, and those steps are things that need to be continued. We are certainly committed to it in terms of tobacco reduction campaigns and ultimately with the goal being of helping people help themselves permanently break away from the addiction, not just in public places. But this step, this legislation, is something that we think it's time to go out and to talk to Yukoners about..

I commend the Leader of the Third Party for bringing forward a piece of legislation on this. Although we do have, as indicated before, some issues with the exact details of the legislation, the basic concept is one that we recognize and we recognize the impact that smoking and second-hand smoke has on individuals.

We and the third party, the NDP, I think, are very much on the same page in terms of the approach that should be taken with this and that this is an important issue. This is an issue that, because there have been concerns expressed by Yukoners, particularly in rural areas, of the impact that this legislation might have on them, we think it's important for members to do them the courtesy of doing the consultation, sitting down with them, talking about the steps and determining what, if any, modifications need to be made to that legislation to address those areas.

Certainly the public process is necessary. The government and the NDP have the courage to go out and to address our

responsibility to Yukoners, to sit down with them to discuss this issue and to hear from them directly.

The proposal for the committee is a member from each party. The government's member would be me as Minister of Health and Social Services, recognizing the importance that we place on hearing this directly from Yukoners and discussing this with them. The NDP have indicated that they would be willing to proceed with this approach and recognize the importance of it. We are still waiting to hear from the Liberal Party, the Official Opposition, on whether they will participate in this or hide under their desks and not talk to Yukoners directly on this topic.

That will be their choice. We will go out and sit down with Yukoners, should this motion pass. I am confident that the NDP will follow through, as they have indicated, to also sit down directly and hear from Yukoners.

With that being said, I look forward to hearing debate from other members. I would encourage them to support this motion and would point out that this motion and, in fact, the other two motions being called today -- the motion to establish a standing committee on appointments to boards and committees and the motion to establish a select committee on whistle-blower legislation -- are part of this government's commitment to legislative renewal, to taking the next steps and working with the opposition when they are willing to work with us. We look forward to this. We certainly hope they will participate in this area. We look forward to proceeding with legislative renewal and increased involvement in this area, recognizing the responsibility that each and every MLA, regardless of party, has to represent their constituents and provide them an increased opportunity to do so.

Mr. Mitchell: I will also be brief today, perhaps briefer than the minister just was. There are some points I would like to put on the record. First of all, I was hoping to see the minister being supportive of the approach he has taken -- a non-partisan approach. I think his comments were very unprofessional. References to "hiding under desks" are very unfortunate. I am sure he will look at his comments in the Blues and we'll hear more mature comments in the future.

Speaker's statement

Speaker: It is appropriate that members make comments to and fro but when a member attacks a member individually, that is not in order. I would ask the honourable member not to do that.

You have the floor, Member for Copperbelt.

Mr. Mitchell: Thank you, Mr. Speaker. We'll move on.

We've previously suggested our preference that this consultation be done by public officials, not MLAs. I just want to summarize the reasons why we believe that would be the better method.

First of all, officials have the training, knowledge and experience in conducting public consultations. Officials have the technical expertise to answer specific questions regarding the health effects, for example, of second-hand smoke. Officials

have the technical expertise to respond to questions regarding enforcement and how these measures would be put into effect. Officials have the experience to properly record all points of view and the ability to give equal consideration to all points of view regardless of whether they personally agree with the individual's perspective or not.

MLAs, Mr. Speaker -- and I think we've heard an example of it today -- no matter how much we would like to depoliticize this issue, bring their own or their party's perspective to the table. They may be on the public record as either supporting or opposing this or any particular legislation or some aspects of it.

This approach of using a committee of MLAs to consult will set the bar for all future public consultations. The next time we are considering changes in legislation to the *Education Act*, the *Workers' Compensation Act*, the *Children's Act*, the *Liquor Act*, human rights legislation, the *Animal Protection Act* -- and we could go on -- are we going to continue this practice of sending out select committees? We are a small Legislature. There are only 18 members here. If not, will that signal that these issues are less important to this Assembly than the issue before us today -- the *Smoke-free Places Act*?

Furthermore, this approach, based on our numbers here, could result in delays in this or other important legislation coming forward in a timely manner.

We wanted to put these points on the record because those are the reasons why we suggested that this should be done by public officials, as has always been the case.

We also want to put on the record that we were the first party, when we supported this legislation, to say that there should be public consultation. We came out with that right away because we knew that this would be controversial in some quarters and we felt that people needed their voices to be heard.

Having made those points -- and we just wanted to make them for the record -- I again want to commend the Leader of the Third Party for bringing this issue to this Assembly. I feel that he has brought forward an issue that is very important -- the issue of second-hand smoke and the issue of smoking in the workplace -- and significant health risk to all Yukoners. We are the next-to-last jurisdiction to be addressing this issue. It is long past time for it to be done.

The government had a full term in which to address it. They did no public consultation in any form nor did they bring any legislation forward. I thank the Member for Whitehorse Centre for bringing this legislation forward.

Having put our views on the record, our caucus does not want to be the cause of any additional delays in addressing this important health issue, so we will support this motion, but we want to make sure the record shows that we believe that there was perhaps a better way of doing so.

Mr. Hardy: I am here of course to support this motion because it does support the bill that we brought forward -- Bill No. 104 -- and the importance of this issue. It is a sensitive issue with some individuals in the Yukon Territory, as well as in some communities. That in itself points to the need for some

public consultation. The motion ensures that there will be public consultation on the legislative options for banning smoking in public places.

I would have liked the motion to have been a bit clearer in recognizing the bill we are talking about -- that being the foundation we will be looking at when we do the public consultation.

My concern is that the bill is improved, not weakened -- not weakened to allow more smoking, to cause more pain and suffering, to cause more death. It is strengthened, to lessen the pain and suffering in our communities and our people of the Yukon Territory. Sometimes it's a hard thing to do. As legislators, it's hard to convince the public that what we're doing is going in the long term -- the short term, in this case -- to have a very significant and profound impact on their lives. It is going to be a good one. It's going to be a good one for the workers. It's going to be a good one for the families and children. It's going to be a good one for the individuals who smoke and are trying to relieve themselves of a very addictive and dangerous habit.

This should never be a partisan issue. I don't think it is any more. I still hear, between the Yukon Party and the Liberals, a partisan type of politics talked about. But I also feel that they're trying to rise above that, and that's important because it shouldn't be a partisan issue. We're talking about what is good for our society. We can all come together. That is why I like the idea of the MLAs being involved.

One thing we've always asked for, and one of the things we want to see in here -- and I know most of the MLAs on the opposition side and in government whom I've talked to agree with this -- is committees in which we're more engaged, in which all Members of the Legislative Assembly and all the people who have been elected can be part of a committee that looks at serious issues in the territory and brings recommendations forward to the Legislative Assembly.

That happens at the federal level. That happens around the world in many governments. Why is it so difficult here? Why can't we make that step?

From my perspective, it would remove some of the animosity and the struggles between the government and opposition members. It would share some of the workload and broaden the debate. It would contribute far more to having better solutions. We would all feel like we were part of something bigger than just our own individual selves and our own individual desires and our own party desires.

I don't think it changes the way the public votes, but it would change the way the public views us. It might be in a more positive light.

We have a duty to fulfill that and to change that attitude out there so that more people may want to run and be involved in politics, have a positive outlook and see the positive work being done.

This may be the thin edge of the wedge that starts the whole process -- the public consultation and the MLAs being involved. I believe that the Liberals can see that as well -- the Official Opposition. I hope they can, because I would like to see our politics move more in that direction.

As to officials being involved, they are involved in everything. Of course they would be involved in this. There is no question about that. I can't see three MLAs going around without some support to help them deal with what we are trying to pass here. I believe that the officials are involved. They are involved right now. They are involved in looking at the bill that was brought forward, and they can be involved in the consultation.

The nice thing is there is also help being offered from the Canadian Cancer Society, with some names being put forward of facilitators who might be able to facilitate, experts in this field that we may not have up here. That's extremely positive.

The public has shifted -- there is no question about it. The majority of people want smoke-free places. The questions are: what type do we deliver, how far do we go, how far-reaching is it going to be and how protective is it going to be? That's what we have to come up with. I think we can do it together. I really hope we can. I think we can put aside our partisan politics and make this work really well and I think this could be a stepping-stone for changes within the Legislative Assembly that I think are so long overdue. Mr. Speaker, I support this -- I know my colleague does -- and I hope everyone in the House does.

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

Hon. Mr. Cathers: I would like to thank the members opposite for their comments on this, particularly the Leader of the Third Party. I would note, in reference to one point that he made, that the motion itself as it reads supports the establishment of the committee and says, later on in the text, that a motion establishing such a committee be tabled and called for debate during this sitting of the Legislative Assembly, thus enabling consultation to be carried out in 2007. So the membership and scope of the committee would be established by a separate motion that would be tabled, should this motion pass today. That would address some of the member's concerns regarding that area. It would be, from my understanding, standard legislative procedure that when the actual members are named in the committee, that is the time in the scope of the work that would be identified in motion -- for example, in the whistle-blower legislation that will be called later today for debate.

I hope that addresses the member's question. I would take this opportunity also to agree with the member that the committee will be supported by officials. They will be providing technical advice and the Canadian Cancer Society also has offered their services and involvement. We would also assume that all members would support taking them up on that offer, which provides them the opportunity to engage in that and lay out their concerns and suggestions during the consultation process. I thank them for extending that offer.

As far as MLAs doing consultation, we don't see that as a bad thing on an important piece of legislation such as this one. What is bad about proceeding with legislative renewal and increasing the involvement of MLAs in dealing directly with Yukoners? It would not be the appropriate thing for all pieces of legislation, because it would be too time-consuming and

nothing would get done; however, on important pieces such as this, we believe that it is appropriate for MLAs to go in a non-partisan manner to engage directly with Yukoners. This would be an important piece of legislation and an important step forward in recognizing the significance of this issue.

That being said, I thank members for their comments and urge them to support this motion.

Motion No. 73 agreed to

Motion No. 70

Clerk: Motion No. 70, standing in the name of the Hon. Mr. Cathers.

Speaker: It is moved by the Government House Leader

THAT the honourable members Hon. Brad Cathers, Hon. Elaine Taylor, Steve Nordick, Don Inverarity and John Edzerza be appointed to the Standing Committee on Appointments to Major Government Boards and Committees, established pursuant to Standing Order 45.

Hon. Mr. Cathers: It gives me pleasure to again rise, as I indicated in my comments earlier, with another step forward in legislative renewal and stepping forward to enhance the engagement of MLAs in this area. For the Standing Committee on Appointments to Major Government Boards and Committees, the scope of reference is laid out in Standing Order 45, and establishes which boards and committees that would cover. Members have a copy in their Standing Orders to refer to.

For those in the media and for those who may be listening, under Standing Order 45, the major government reports on committees are laid out in which a committee, if established, shall review and recommend appointments to include the Yukon Development Corporation, Yukon Energy Corporation, Workers' Compensation Health and Safety Board, Lotteries Yukon, Yukon Recreation Advisory Council, Yukon Arts Advisory Council, Yukon Utilities Board, Yukon Council on the Economy and the Environment, and the Yukon Human Rights Commission.

This has been a challenge in moving this forward at times. The opposition members -- we have had differences of opinions sometimes on the makeup of the committee. Finally agreement was received on the total membership of the committee, how many members would be on there and, following the opposition putting forward their names last fall, this was tabled in the last session. We are pleased to call this today and urge members to support it, which I believe they will.

With that being said, I don't think there is too much need for lengthy debate. I think this is a positive step forward and, as with the other motions called for debate today, it is another step forward in legislative renewal and in enhancing and improving the working relationship of this Legislature and engagement of MLAs.

Mr. Mitchell: I thank the minister for his remarks.

I won't have a lot to say about this except to say that I think it is a very important issue. I believe strongly that everybody should feel free when they are in the workplace, regard-

less of whether they work in the private sector or work for government of any level, to express their concerns when they see them.

We think that this should have happened long ago. We believe that the committees and boards that work under appointment by government do an extremely important service, and we've asked for this for a great, long period of time.

I'm not really interested in revisiting issues of numbers and who blocked what from happening, because I just don't think we get anywhere when we do that in this Legislature. But I do think it's important that these people be seen as appointed on behalf of all Yukoners and not seen from the perspective of partisan appointments. It has been the case over many governments over many years that people were seen as receiving appointments because of who they supported politically rather than the expertise they bring to the job.

So we're pleased to see that this will move ahead, and we look forward to seeing the names come forward in a non-partisan way to fill these boards in the future.

Mr. Cardiff: Mr. Speaker, I, too, rise in support of this motion. We in the third party believe that this is a good step forward. When the Government House Leader rose on the final day of the fall sitting and actually read this motion into the record, it was actually kind of a sad day because it has to sit on the Order Paper for at least a day, and it sat on the Order Paper for a long time now before the motion actually got called for debate. Quite frankly, I was considering calling it myself, for two reasons.

Number one, I think it's important. As the Leader of the Official Opposition said -- we talked about this yesterday; I have been living in the Yukon and following politics for close to 30 years and I believe that's one of the things that the public has always been aware of -- every government of every stripe has been accused of making partisan political appointments to boards and committees and I think it's long overdue for this to happen. For that reason alone, that was one good reason why I would have attempted to call the motion.

The other reason is that, in order to get to the motion that is next on the Order Paper, this was a qualifier. This had to happen in order to get the support of all the Legislature for the motion that we are going to debate next, which is the whistle-blower motion. That is one that is dear to our heart, too, in the third party.

This is a step forward. I hope that this does lead to better cooperation in and outside the Legislature among the three parties. I hope it also serves the public interest. We will be supporting the motion.

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

Hon. Mr. Cathers: I will be very brief in closing and just thank members for their comments. This has been a work in progress. There has been some discussion from all sides and negotiation and ultimately compromise all around. We are very

pleased to be able to take this step forward and urge members to support this motion.

Motion No. 70 agreed to

Motion No. 125

Clerk: Motion No. 125, standing in the name of the Hon. Mr. Cathers.

Speaker: It is moved by the Government House Leader

THAT a Select Committee on Whistle-blower Protection be established;

THAT the Speaker of the Legislative Assembly, Hon. Ted Staffen, be the chair of that committee;

THAT the honourable members Hon. Jim Kenyon, Steve Nordick, Eric Fairclough and Steve Cardiff be appointed to the committee;

THAT the committee report to the House its findings and recommendations respecting the central issues that should be addressed in whistle-blower protection legislation including:

(1) whether all public institutions and private organizations performing "public" functions will be covered;

(2) whether only employees or others -- unions, advocacy groups, the media, citizens -- can use this legislation;

(3) what types of wrongdoing will be covered,

(4) whether the same office will conduct investigation, mediation and the protection of whistle-blowers;

(5) whether employees will have to exhaust departmental procedures before approaching the whistle-blower protection office;

(6) how retaliation against whistle-blowers will be defined and how long protection will exist;

(7) whether there will be a reverse onus on the employer to demonstrate that adverse decisions on a whistle-blowing employee were not a reprisal;

(8) what remedies for employees judged to be adversely affected will be specified in the legislation; and

(9) what sorts of consequences there will be for employees who engage in reckless or malicious accusations of wrongdoing and for managers who engage in reprisal against employees who act in good faith;

THAT the committee report to the House its recommendation as to whether whistle-blower protection legislation should include a sunset clause similar to that found in section 35 of the *Ombudsman Act*;

THAT the committee have the power to call for persons, papers and records and to sit during inter-sessional periods,

THAT the committee hold hearings for the purpose of receiving the views and opinions of Yukon citizens and interested groups on whistle-blower protection legislation;

THAT the committee have the power to seek background information from experts and to be able to call and hear these experts as witnesses;

THAT while all testimony provided to the committee shall be in a matter of public record, the committee have the power to hold in-camera meetings and to direct that the records of the committee, in specific instances, not contain details that could lead to the identification of an individual group, third party, or community;

THAT if the House is not sitting at such time as the committee is prepared to present its report, the committee transmit its report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee.

INTRODUCTION OF VISITORS

Hon. Mr. Cathers: First, before I begin with debate, I would like to direct members' attention to the visitors gallery and ask them to make welcome Garry Holland.

Applause

Hon. Mr. Cathers: It is a pleasure to rise here today. Leading into this motion, I will not be speaking for long. Members are aware that there has been significant debate on this topic in the past. There have been attempts and challenges in moving forward with this. I will not spend too much time pointing out the disagreements of the past but will note that the government has attempted to proceed with this on a number of occasions. For some time, the now Official Opposition was resistant to the structure of this and was linking it to some disagreement regarding the composition of a Standing Committee on Appointments to Major Government Boards and Committees. That being said, I will not spend too much time belabouring that point. I would hope that members can be positive today in moving forward with this select committee.

Whistle-blower legislation, as members may be aware, is something that is fairly new in Canada. It has not been tried in many jurisdictions. There have been a number of attempts and it is a work in progress. I think we all recognize the value of this. It has had various effects in various areas and there have been some obvious successes. The concept behind it is one I think we all agree with. It's also important that the work be done in establishing this legislation through a select committee. The obvious reason, of course, is to ensure that this is not simply a partisan motion and that it is dealt with in a manner that recognizes the importance of this issue. It should consider all sides, as well as provide all Yukoners with the opportunity to be involved in the discussions and submissions to the committee.

That being said, I urge all members to support it. One point about which I would remind members is that the membership of the committee was identified by the House leaders of the respective parties, hence the naming in the motion. The member of the Liberal Party named to the motion had noted that he was not aware of it. I should point out that an e-mail sent from the Liberal House leader identified him as the member for the committee on whistle-blower legislation. That is why the member is included.

I thank members. I look forward to hearing debate and hope to see this motion passed.

Mr. Fairclough: I'd like to speak to this motion also.

First of all, I believe that this motion is a bit unusual in that the minister, the mover of the motion, decided that the terms of reference would be already done up before the committee has even met to discuss this. I just asked the question in the House today about consultations afterward -- these courtesy consultations. This is basically what this is. It is terms of reference that are laid out by the members opposite already before having any discussions with us on this side of the House. If there were a real seriousness on the government's side, they would have extended to us the courtesy of at least a phone call, a discussion about this and whatnot.

When the Yukon Party was in opposition, they asked the government to bring forward whistle-blower legislation. There are examples out there that we could be using. It doesn't take a whole lot of work on the government's side to bring forward whistle-blower legislation. It is not a lot of work. These guidelines, these terms of reference that are laid out in the motion, do put a lot of work on the members who are involved in the committee.

Four years, almost five, have gone by and the Yukon Party has done nothing in regard to whistle-blower legislation. They see the seriousness of it. The issue never went away, as they had hoped it would after their first term. I guess I'm glad that they have brought forward something to deal with this, even if they can't do it on their own. Governments can do this kind of thing and they can do it without a committee.

I'm surprised that the minister responsible for the Public Service Commission isn't on the committee. That is a decision made by the government's side and we can't change that now.

The member said that we did forward a name some six months ago, but does that mean anything to the government side? Names have been given to the government for boards and committees over the course of their whole term -- when they were elected the first time -- and they did nothing for five years -- nothing. Now public pressure is putting them in the position of having to bring forward motions and, if they can't do it on their own, that we in this House do it. We're willing to do that. We're willing to do the work. We'll agree with this motion that has been put forward by the members opposite.

I just want to point out to the government that there are better ways of dealing with this matter than the committee.

Some Hon. Member: (Inaudible)

Mr. Fairclough: Now, the Premier is talking to his members on that side and disturbing us. I'd like you to call them on that, because it's hard to hear.

Speaker: Order please. You have the floor. Go ahead.

Mr. Fairclough: I thank the members on the government side for starting to pay attention to this issue that they're bringing forward -- although he is at it again. I hope it's a little quieter this time.

Speaker's statement

Speaker: The Chair allows conversation on each side of this Legislative Assembly when other members are talking. If, in the Chair's opinion, it is getting distracting, I will then interrupt.

Now, I appreciate the honourable member's mention of what's going on and I'd appreciate it if members on each side

would do that when they feel there is chatter going on on either side.

You have the floor, Member for Mayo-Tatchun.

Mr. Fairclough: Thank you, Mr. Speaker. This is a serious matter. It's an issue that has been raised with us and I would think we would all pay attention to this and pass it in a timely fashion, and let's get on with the work.

These issues about whistle-blower legislation and protection of employees have been brought forward to our attention. We've had government employees come and talk with us, but they're not going to expose anything because of fear of repercussion from the government side. They can't do it -- they don't want to lose their job, they don't want to be demoted, they don't want to be silenced or gagged, which, Mr. Speaker -- haven't we talked about this time and time again on what government has been doing over the number of years? Well, let's open it up a little bit.

Everybody knows the way in which this Yukon Party governs here. They may fear this, once it is passed in this House -- perhaps the public and the employees may open up more.

If the mover of the motion had called up and said, "Your name has been forwarded in the past. Are you still agreeable to sit on this committee?" -- that would have been nice. But they didn't do it. I have to say, now that this is an after-the-fact consultation, I have to say, "I agree to sit on this committee." The member opposite wants to force this on certain members.

I was hoping, though, that they would have decided to have the minister responsible for the Public Service Commission sit on this committee. But the government side decided not to and we are fine with those who have been named on the committee.

The Premier has an opportunity to speak to this if he wants to. We think this is long overdue. The government could have brought this forward without any delay after being elected the first time. They could have brought it forward on their own. If they want to have all-party and non-partisan travelling consultation and research on the matter of whistle-blowers, we are willing to do it. What shouldn't be in here is this terms of reference. That should not be in this motion.

This might surprise the mover of the motion but, once the committee is formed, we could have another look at these terms of reference and change them if we want to. Once the committee is formed, that could be done. I know the members opposite think that having a long list -- a whole page, which is unusual in a motion -- would box us in or guide us in that manner. The committee -- surprise, surprise to the government side -- will decide that.

I just want to make some short comments that the members opposite think that we, on this side of the House, are resistant to the development of whistle-blower legislation. That is not the case. We support it and we would like to see it develop as soon as we can.

Mr. Cardiff: It was with great pleasure that I saw this motion read into the record the other day. It is long overdue. We in the third party have been advocating for whistle-blower

legislation for quite some time. We even went so far as to introduce our own bill in the previous Legislature for whistle-blower protection. I suppose the idea came from that debate on that bill to have an all-party select committee. I did have my name put forward last fall for a committee to look at whistle-blower protection legislation. I am quite pleased today to be named in this motion.

A portion of the motion reads that the committee report to the House its findings and recommendations respecting the central issues that should be addressed in whistle-blower protection legislation. By the end of the consultation, I won't have a problem stumbling over that one.

To me, that means that there is an opening and that the terms of reference, as referred to by the Member for Mayo-Tatchun, aren't really set in stone. It says to bring its findings and recommendations, respecting the central issues. Those will include those nine issues, but I don't believe that it says that it's limited to those nine particular terms.

I am hoping that there will be cooperation from all three parties to ensure that, if there are omissions or if there are other issues that rise to the surface that we become aware of as a committee -- during the term of this committee -- that we'll be able to make our views known on those as well. I hope that all goes well and that we have a chance to hear the views of many interested Yukoners on this subject.

One of the things that has happened during this sitting of the Legislature that points out the need for this was a document that I tabled in the Legislature where, on a work site, there was a notice posted that basically threatened employees with termination if they spoke to government officials or elected officials or MLAs.

That is why legislation like this is needed. People need to be free to voice their opinions, to bring forward their concerns without fear of retribution; without fear of having to suffer consequences to their livelihood or to their status in the community. It's just not fair. If they have concerns about what is happening in the workplace or in their job that need to be brought to the attention of the authorities, they should be able to do that without fear of retribution.

That's why we have seen this type of legislation brought forward in many jurisdictions in Canada. That's why we as the third party, when we were in Official Opposition in the previous Legislature, tabled our own piece of legislation. That's why we are here today. We will support this. We will participate in this, and we definitely look forward to the day in the very near future, I hope, when we will be tabling a piece of legislation that we can all agree on.

Mr. Mitchell: I hope members will indulge me, as well as *Hansard*, for the fact that I was apparently so eager to speak to this that I rose earlier. I have been fighting the flu bug and I think the bug is winning.

Whistle-blower legislation really is about empowering people. It's about empowering the public. It's about empowering public servants to feel safe in the workplace to point out when they think there is wrongdoing or unsafe conditions, and not fear for their jobs. There are countless examples of this sort

of thing where there isn't the safety to do that and where things have gone wrong. We recently heard the examples of Air India and how inspections weren't done and safety measures weren't followed. Perhaps people thought about pointing that out but they were afraid for their jobs and they thought, well, I don't want to get in trouble or lose my job and, really, what are the consequences? Sometimes the consequences are unforeseen and they are tremendously tragic, as they were in that case.

I think that it's important that we move forward and empower the public to point out when they think that things are either unsafe or not being properly conducted, or people aren't being treated as they should be because they may be voicing a concern contrary to that of a superior.

We get phone calls all the time, as I'm sure the third party does, and perhaps not so much when you're sitting on the government side, but MLAs do hear from people saying there's something wrong going on in our workplace but we're scared to raise it, because we're scared for our jobs, and that shouldn't be. It shouldn't be that way in the private sector; it certainly shouldn't be that way in the public sector.

There's a very long descriptive list here of some of the areas that should be looked at. I think, as both the Member for Mayo-Tatchun and the Member for Mount Lorne have pointed out, those should not necessarily be the be-all and the end-all of this, and the committee can look into what else should be considered.

I do think that just yesterday in general debate the members opposite pointed out that they were decisive, that they were elected to make decisions, and they would do so. I have to question why they spent four years not tabling legislation on this matter if they truly believed in it. They didn't need to get agreement from the opposition parties. They had a majority in the last term. They have a reduced majority now. They could have simply brought forward legislation, but they didn't do so. However, we're here to move forward, not backward. I think this is very important.

I want to give another example that was brought to my attention by the Member for Kluane, and that is a public servant in Alberta who was working as an official under the Alberta Conservative government during the Klein administration. He tried to raise the issues that concerned him about climate change. In the end, he lost his job. He was dismissed from public service. He ran. His name is Dr. David Swann. He's a Liberal MLA now. He was elected in Calgary, of all places, in the last general election.

Some Hon. Member: (Inaudible)

Mr. Mitchell: Absolutely. But it shows that sometimes people feel they have no recourse, and as a result they run for office to effect change. I think probably everybody here, from every political persuasion, has run for office because they believe that there needed to be some change and they needed to improve things.

We will support this. We believe that it's an important thing. It's about empowering people and improving workplace conditions. It's about freeing people to do their job better without fearing for their livelihood.

Mr. McRobb: I will be very brief, because I think the vision presented for the record by our leader spells out the importance of this legislation and the need to ensure that public service employees are not constrained by the political level of government when speaking out for the public good.

As the leader mentioned, I had the good fortune to meet Dr. David Swann, who is an MLA in the Calgary area. We had quite a discussion this past February. I think his election to public office really speaks to how much the public supports having public servants speak out when the matter is in the public good. We know that the taxpayers pay the wages of these public servants, so therefore the duties of the public servants should be to serve the public. If these public servants are threatened in any way for speaking out for the public good, then of course that puts up a roadblock for them to do so.

It is important that public servants do speak out on matters in the public interest, whether through information they have learned through the course of their work or due to an expert opinion they might have from their knowledge of a certain area. The political level of government should not have the ability to constrain that.

I think the whistle-blower motion in front of us might set out the groundwork in an adequate way to try to achieve that. Of course, there is a lot more on the road ahead before that protection is in place. I really look forward to further developments in the months ahead. Hopefully in the fall we can be dealing with the necessary legislation that is drafted accordingly to provide that level of assurance to public servants. Certainly, if it does meet that test, then the government side can expect my support, at least.

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

Hon. Mr. Cathers: I thank members for their comments. I will be brief in closing, but I am compelled to note that, in reference to the Member for Mayo-Tatchun's comments about his alleged lack of awareness of being on a committee, that it is standard practice and it has been well understood for years in our parliamentary system that the House leaders have discussions. When agreement is reached or when representations are made, the House leaders are responsible for informing their caucuses of that. The Liberal House leader identified the Member for Mayo-Tatchun as their representative. The government certainly expected that their House leader would have informed his caucus colleague of that commitment.

It was also no surprise to the Liberal House leader that -- although the request was made for membership last fall, the member was aware that this motion was not going to be tabled. It was not tabled in the fall sitting. There was an understanding, of course, that spring would be the time for tabling it.

Now, perhaps the Official Opposition's commitments expire after six months, but we expect that when a commitment is made -- especially when the understanding is that it is going to take some time to deal with it -- that commitment will be kept. The government certainly keeps its commitments.

I would encourage members of the Official Opposition to talk to each other before casting aspersions across the floor when, in fact, the government relies on the representations made by their House leader. When agreement is reached, we assume that agreement is an agreement on behalf of that caucus.

With that being said, I think that the overall purpose of this legislation is moving forward and enhancing the protection and the options that are available for employees, recognizing there are many challenges to be worked out with this legislation as it has been challenging in every jurisdiction that it has been tried. The membership is laid out. Members have had discussions and one point I should make with regard to the wording is that the suggestion by certain members that they were completely unaware of the terms and the scope the motion spelled out -- discussion did occur regarding the wording. There was some discussion through House leaders, primarily through the chiefs of staff, I believe, of the respective caucuses, and wording was discussed. This was dealt with and we do not have control over whether members share things with their caucus colleagues. I would encourage them to do so, as we do on the government side.

Motion No. 125 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair: I will now call Committee of the Whole to order. Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: We will take a 15-minute recess.

Recess

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

Bill No. 6 -- First Appropriation Act, 2007-08 -- continued

Department of Community Services -- continued

Chair: The matter before the Committee is Bill No. 6, Vote 51.

Hon. Mr. Hart: Thank you for allowing me to present the 2007-08 operation and maintenance and capital budgets for the Department of Community Services.

As tabled in the main estimates, the department plans to spend \$51.4 million on operation and maintenance and \$45.6 million on capital expenditures. These expenditures will have a considerable, positive impact in every community across the territory. Out of the department's O&M budget, \$22.8 million

is allocated for grants and contributions to municipalities, communities and non-government groups and/or NGOs.

Operation and maintenance and capital recoveries are estimated to be \$4 million and \$25.9 million respectively. Revenues from general property taxes and services provided by the department are estimated at \$8.2 million.

I would like to reference our four-pillar approach to the context of Community Services' capital budget. The four pillars are a better quality of life, the environment, the economy, and practising good government.

These four categories are the driving purpose for much of what my department does for Yukon communities and our citizens. I would like to begin with the fourth pillar, which is practising good government. One of Community Services' key roles is working with the local community governments and the Association of Yukon Communities on a wide range of topic areas important to local government operations. Together, we also ensure that local government legislation and the legislative framework of the Yukon government are current and meaningful. We provide funding and financial advisory services to the municipalities and unincorporated communities and we work with other governments on the provision of local, municipal and related services.

A few weeks ago, I announced that Community Services staff will be meeting with the Association of Yukon Communities over the summer to examine the funding levels for local community governments in relation to delivering their program and service responsibilities. I believe that it is time to conduct this review, considering that the Yukon economy has continued to recover and grow, and this growth has stimulated more service and program requests from developers, businesses and the public for all levels of service.

Local governments require the fiscal capacity to undertake their duties and I am confident that we will arrive at an outcome that meets that need. All these things we do with our Yukon communities are designed to achieve that goal and the objectives of the first pillar, which is to create a better quality of life for the people who live there.

In the 2007-08 capital budget, Community Services is continuing our focus on delivering the important community-based infrastructure improvements that contribute toward a better quality of life through safer and healthier communities. While we work toward that improved quality of life, we are also contributing to the Yukon's economic health -- the third pillar -- and we are addressing environmental concerns that are important to Yukoners and their communities, that being the second pillar.

I'm referring to infrastructure projects that provide clean, safe drinking water as well as sewage systems that work effectively to reduce negative impacts to our environment and also contribute to better community health.

Community Services' 2007-08 capital budget includes nearly \$9.7 million, which is dedicated toward Yukon community-based projects approved through the municipal rural infrastructure funding process. These projects not only ensure important infrastructure is in place to serve the needs of Yukoners and our visitors, but they are also very important for providing

good jobs for local residents, which help to improve local community economies.

Some examples of the projects funded under this budget include funding to complete the Mayo Community Centre -- approximately \$477,000; \$1.7 million for the small-diameter piped water project for the Selkirk First Nation in Pelly Crossing. We are providing \$1.4 million toward the Takhini North water-sewer project with the City of Whitehorse. \$415,000 will flow to the Champagne and Aishihik First Nations' project for the development of their water and sewer project and some required road improvements. \$1 million has been earmarked for work on the Dawson sewage system. A new sewage project in Carcross will receive \$764,000, and also in Carcross, \$1.5 million will be invested in a waterfront development project. Another \$4 million is allocated in this budget to the Whitehorse waterfront development project, which is making a positive difference to the appeal and safety along the riverfront.

The 2007-08 capital budget provides for the rural electrification and telephone program at \$500,000 and for the domestic well-water program at \$700,000.

Road improvements are also important infrastructure projects that add to driver, cyclist and pedestrian safety. As we committed during the last election, we are completing the Hamilton Boulevard extension with the City of Whitehorse with our contribution of \$5 million. This project will benefit residents by providing a second access/egress option and help to reduce traffic congestion with the addition of a second route.

\$278,000 is allocated toward the BST surfacing of the Two Mile Road with the Liard First Nation in south Yukon. A little over \$1 million has been allocated for a new fire hall in Golden Horn, which is critical infrastructure for the community and adds value in a number of positive ways.

We have increased attention to climate change and the potential impacts on the Yukon environment. Many people are concerned about the increased potential of forest fires and the protection of our communities. While our response capabilities provided through wildland fire management are some of the finest in the world, there is an opportunity to reduce the threat of fire by reducing the buildup of forest fuels, as prescribed using the FireSmart approach, as a preventive measure. \$1 million is being invested in our FireSmart program to continue to help make our communities safer through the purposeful reduction of forest fuels by community groups, local governments and individuals.

While we can accurately account for the budget -- we have invested into the FireSmart program over five years -- we cannot calculate the many resultant benefits these investments have yielded. How many forest fires have been prevented by FireSmarting around communities? How many homes, businesses and other structures have been spared because of the benefits of the FireSmart program, or how much money has been saved in our communities because of FireSmart projects we use to provide a greater level of preparedness? We cannot calculate what or how much has been saved by promoting the FireSmart program, but I can assure you the value of cleaning up the forest fuels is not lost on Yukon property owners who are treating their lands to be safer from the threat of fire.

Mr. Chair, we are hearing very positive things from our partners at the community level about the true value these capital budget investments provide the community. I recall the opening ceremonies for the new community centre in Mayo in February. The new recreation centre will play a very important role for the community well into its future. As a gathering place, the people of Mayo and the neighbouring communities can now come together in comfort for meetings, celebrations and other important community events. This new community centre will also serve the needs of elders and seniors who can now come together for activities that are important to them. As a recreation centre, everyone -- especially young people -- will have more opportunities to get involved in sporting activities that will help to develop strong bodies and an appreciation for healthy lifestyle choices. The new facility in Mayo may right now be training gold medal teams for future Canada Games, Arctic Winter Games and/or Olympics.

I also noted the economic benefits these projects contribute to our communities. Local contractors, labourers, engineers and planners at the community level are benefiting from these projects. Also, hotels, local shops and the service supply sector benefit from these community-level construction projects and the local economy grows a little bit more.

I would like to take a moment to provide another example of how the Community Services capital budget is invested to improve services to Yukoners.

In previous capital budgets, we invested in new computer equipment, which was required to modernize our administrative capabilities and, at the same time, allow us to offer new electronic services to Yukoners. I am very happy to report that Yukoners, especially rural Yukoners, are utilizing the motor vehicle e-registration more and more. The e-government service is simple to use and the 24-hour accessibility means clients can register their vehicles when it is convenient for them to do so.

The Yukon business community and the public are also utilizing the new on-line personal property security registry to search liens on real estate, motor vehicles and other property. This much welcomed service was launched in June of last year. Client use of this service has grown substantially since then.

BizPaL is another state-of-the-art e-government service that has proven to be extremely valuable to the business community, investors and, more recently, the natural resource sector, which is accessing the service to undertake planning for project development in a number of resource development areas.

Last July, the BizPaL team was awarded the federal government's Public Service Award of Excellence for their leadership in the development and implementation of BizPaL. Last fall, the same team received the Diamond Award of Excellence in the Canadian Information Productivity Awards. This organization of information technology leaders selected the BizPaL program to rank the highest from all the many emerging technology projects in 2006.

The awards and acknowledgements by the leaders in the national IT sector are very much appreciated, but another important acknowledgement is coming from the business com-

munity and our other partner, municipal governments, who are extremely pleased about how the service saves valuable time, energy and expense in gathering the required information on permits and licensing for their projects.

Previous capital investments in our administrative computer systems are delivering enhanced electronic services to Yukoners, which, by all accounts, they are very pleased with.

I would like to note that one of the greatest assets of Community Services has not been found in our budget, but rather in our people. Community Services is fortunate to have a staff of dedicated Yukoners who strive to make our territory a better place for everyone.

Each day they take on the roles that keep the territory operating effectively at a number of critical levels. They are focused on improving community health and safety for all of us by ensuring the infrastructure we rely on is safe and functioning as it should.

They are standing at the ready to respond to crisis situations that may appear at any time. They also provide the programs and services that add value to our lives in meaningful ways such as improving our library services so Yukoners can access Internet service, pursue their lifelong learning ambitions or simply read a new best seller.

Our staff in consumer and safety services branch is available to assist people with questions relating to consumer issues and to encourage a fair, efficient and informed marketplace for business and consumers.

Community Services staff fill a number of important roles as they deliver the programs and services to the Yukon public, local governments, First Nation governments and our visitors. They perform their jobs with pride and dedication as they work to improve the quality of life for all of us.

In closing, I would be pleased to expand further on these and other positive investments the Department of Community Services will be making from this budget and answer any questions the members opposite may have.

Mr. McRobb: I thank the minister for finally gracing us with his opening remarks after the hiccup the other day.

Mr. Chair, I would like to first say that I am filling in for the usual critic, who was called away on some work-related business. I hope I am able to not let the minister off too easily this afternoon. I am aware of a few of the issues about which we would like to ask. Hopefully we can have some constructive dialogue.

In the past, I have always enjoyed dealing with this particular minister, because I really believe he does give effort to providing some constructive information.

First of all, I would like to ask him about the municipal block funding issue. He made a statement on May 7 in this House to the effect that municipalities haven't received an increase in their base pay for some years. Then he went on to say that his party has provided the largest increase to municipalities for their grant funding. That would appear to be a contradiction. I would like to give him an opportunity to clarify that remark.

Hon. Mr. Hart: If memory serves -- and I stand to be corrected -- it was stated on that day that there had been no

increase in the comprehensive municipal grants since 1992. In fact, there were a number of small increases in the grant during that time. There were small increases in 1998 and 2001. In 2005 and 2006, we put in our balances, which was a nine-percent increase to the community base grant. That is why. It was not across the board; it was to four specific communities.

Mr. McRobb: All right, Mr. Chair. I would assume that Faro was not one of the four communities.

The minister has had a couple of hours now to try to do something about the Faro pool situation so before moving off this issue, I'd like to hear if he has been able to do anything about the problem there with the pending pool closure?

Hon. Mr. Hart: As I indicated during today's session, we will be in discussions with the town on the issue. Once we get a clear understanding of the situation and what is required, we will look at dealing with it. But right now, the municipal pool is the responsibility of the Town of Faro. In essence, however, we can look at providing some expertise, whether it's in engineering and/or advice on how to attack the problem.

Mr. McRobb: All right. I would ask the minister if he would perhaps oblige us by letting us know when he has come up with a solution to the problem. That would certainly help us.

I noted in his opening remarks, Mr. Chair, that he pointed to the importance of providing recreational facilities to communities and related that to the health of our children and the public in general. Of course, facilities such as the swimming pool in Faro provide an important part of the facilities needed in order to serve the public in that regard.

I would like to ask him now a few questions about residential land development. I see there is a small increase for residential lands of three percent, and the total amount is \$14.5 million. Can he indicate for us where that is located?

Hon. Mr. Hart: Unfortunately my alternate, Minister Lang, is not available right now. I would ask him if he could refer those specific land issues to Minister Lang. I had arranged at the time to have Mr. Lang available but right now there is a situation that makes him unavailable to respond to land questions. I would ask that those land questions be set aside and then my people could answer that question with Minister Lang.

Mr. McRobb: All right. Could the minister clarify: is he not the minister responsible for land development for Community Services? Has that been designated to the other minister or does he still retain that responsibility?

Hon. Mr. Hart: The responsibility for Community Services is still within the branch but the Minister of Energy, Mines and Resources will handle the land issues until the conflict has been resolved.

Mr. McRobb: I see. I recall more about this matter now.

My next question was also dealing with land, and so was the one after. What about land use planning? Is that something the minister can talk about?

Some Hon. Member: (Inaudible)

Mr. McRobb: It's still land, so he can't? All right.

There is an issue I have in the back of my mind here that I will raise now. I will look at these notes and try to get to another subject while the minister is responding. My issue has to

do with vehicle registration. I was prompted by the minister's opening remarks about how improvements have been made to the system, particularly with on-line availability of registration and so on. Could the minister just give me a nod if he has an official beside him who is familiar with the vehicle registration matters?

Just a nod will do. Okay, he does, Mr. Chair. That's fine. So I'll proceed with this.

I had a recent experience that was fortified by a couple of Yukoners I spoke to and it deals with purchasing a vehicle outside of the country and the timeline that is stipulated in the regulations that is a short window in which the new vehicle owner must register the vehicle in the Yukon. I believe that timeline is only two weeks. So, before we go much further, I would like the minister to confirm that it's only a two-week window, and we can go from there.

Hon. Mr. Hart: For the member opposite, unfortunately I can't respond as to what the two-week period is or isn't, but there are methods where you can register your vehicle remotely via fax and/or at any weigh station and get a temporary permit to bring it up here. Specifically, I can't respond to the two-week period because I don't have anybody here who can verify that.

Mr. McRobb: That's what I tried to ascertain from my first question. I won't go much further into this, but I'll just try to be concise in the point that I think the minister could acknowledge to investigate, and that is the scenario where someone purchases a vehicle in the United States with the intent of importing it into Canada. That person, due to travel plans, doesn't plan to be back within two weeks. It might be more like three weeks, four weeks or so on. There are a few requirements, such as getting a vehicle inspection. It was brought to my attention that there are only two companies in the Yukon that are recognized by the branch to do vehicle inspections -- at least I believe that to be the case.

I'm not so sure that a company in the United States doing an inspection would be recognized in that regard. So I'm wondering what the necessity is to have only a two-week window. Couldn't we extend this a little bit to allow for cases where Yukoners want to spend more time outside the country before re-entering and having to go through the inspections with the Yukon motor vehicle branch?

There is a whole separate issue pertaining to Canada Customs, but that's separate. We're really talking about transferring the registration to another vehicle because, in most cases, it could be presumed that Yukoners would take a plate from an existing vehicle with them and simply put it on the vehicle, which I believe is only good for two weeks, and hence the problem. I understand the minister has stated he doesn't have the information at his fingertips, but what I'm looking for is a commitment that he would look into it and perhaps change it to allow Yukoners more time, if that is satisfactory.

Hon. Mr. Hart: For the member opposite, I believe that there are, as he indicated, certain national standards that we are going to have to deal with, with regard to the time limit that we have to consider as part of the Yukon or any other jurisdiction. But I will undertake to get back to the member opposite in

written correspondence to provide him the information with regard to what the limitations are and what the possibilities are that could assist him in his problem.

Mr. McRobb: All right. That would be much appreciated. But for the record, it's not my problem, Mr. Chair. It's a problem facing any Yukoner in the future who might be doing this. It would just seem like an unnecessary bureaucratic hurdle or a regulatory hurdle, if that's really all it is. It would cause a lot of inconvenience for a Yukoner in this scenario I have described already.

Let's look at recreation facilities. I have already mentioned the Faro pool and the recent inspection that was done. Most facilities were found to be in generally good-to-excellent condition with a few significant deficiencies noted. In some cases, repair requirements of a periodic but not fully predictable nature were noted, such as pool liner replacements and new roofs. Some facilities are of an advanced age, although they are in generally good condition for their age. Some facilities are not being actively used for reasons apparently not related to condition. Some facilities are receiving better local care than other facilities of a similar type and age in other communities.

Facilities were given a visual inspection only. Comments from recreational staff were accepted and incorporated into the report. Can the minister give us more information about this, and specifically about the pools that were shut down during the inspections?

Hon. Mr. Hart: If he could be more specific or clarify what it is he is looking for, we can try to respond here or get back to him.

Mr. McRobb: I have no further specific information, but certainly I will entertain a response back from the minister. He might do that for the remaining two questions I have in this area as well. I am fine with that.

Can he also provide us with some information about recreational facilities that are in schools or are privately owned?

Hon. Mr. Hart: The recreation facilities in the schools belong to the Minister of Education. The public sector is not under my purview. That is the private sector's responsibility. They are the ones responsible for the upkeep and maintenance. They don't come talking to us about whether we get it; we just ensure that the appropriate licensing and permits are in place for them to operate.

Mr. McRobb: As I said, I am only filling in. I didn't write these questions. Does the government have plans to assess recreational needs of Yukon communities and how well the recreational facilities are meeting those needs? Can he give us an update on any work that has been done?

Hon. Mr. Hart: We have sport and recreation coordinators throughout the Yukon with whom we keep in touch, and they advise us on the facilities that are available in the communities and the requirements thereof.

We also deal with issues on a come-forth basis that are put forth in our budget. For example, we did put a recreational facility in at Marsh Lake and in Mayo because those were high priorities of those communities. For example, Mayo hasn't had a new facility in many, many years and it was well overdue.

Mr. McRobb: All right. I note there are a few questions here pertaining to Old Crow. The community hall was found to be aging but in good condition for its age. The roof collapsed on the arena in 2004-05 but it has since been repaired; it has a coarse gravel floor that makes it difficult to establish and maintain an ice surface, and an engineering assessment concluded that a concrete or wooden floor would be inappropriate for this site?

Hon. Mr. Hart: Those facilities are owned by the First Nation in question. Funding was provided to upgrade both the community hall and deal with the situation.

I understand we just received a report from the First Nation with regard to the recreation facilities and we are reviewing them.

Mr. McRobb: I note that my colleague, the MLA for Vuntut Gwitchin, is more familiar with the updated information with respect to facilities in his community and I'll simply provide him with the opportunity to follow up.

I would like to ask the minister about his plans for new waste-disposal facilities, especially in rural Yukon. One example I am familiar with is the dump in the community of Champagne. I'm still receiving quite a few complaints about the state of the dump. Now that Champagne has been sidelined from the main highway because of road improvements, it's sort of out of the way for people in the region who use this facility.

For instance, people in the Takhini River subdivision must drive about 30 miles to get to this dump, and it's not in the direction they usually travel. The main traffic flow from the communities is toward Whitehorse, so they have to go the other way. Mendenhall is in the same situation.

Anyone who lives along the highway is faced with the same thing -- having to drive in the opposite direction to the way in which they usually go in order to go to the dump.

As a consequence, the Champagne dump receives a lot of materials that really shouldn't be deposited there, such as old tires. We know that there is a surcharge placed on tires for proper disposal, yet in these remote locations people -- they could be visitors to the territory and not necessarily Yukoners -- are depositing these items in the dump.

There is another concern, which is that perhaps the department has revisited the location of the garbage dump to serve that particular region and has identified a new site for development. This is a matter I raised with the minister probably four years ago, to start with. I would like to give him an opportunity to provide us with an update on this.

Hon. Mr. Hart: I do remember him bringing up the issue some time ago with regard to this particular dump. Community Services staff are working with the people in Champagne to explore options of what we can do with that facility. We have also explored planning for a burning vessel for the facility.

With regard to tires, because the tire fee is applied when one buys the new tires, there is no dumping fee any longer for tires at the Whitehorse dump. We have difficulties with tires at all our waste facilities, whether from visitors or not. In any case, we endeavour at Community Services to go through our facilities to try to clean up the waste facilities we are responsi-

ble for, on a rotational basis. Whether it's metal or otherwise, we run it through.

As with any new location, it requires a substantial amount of time to go through the environmental process to find a location. As the member knows, to get a location -- nobody wants a garbage dump close to them -- is a very difficult task. But it's not just as easy as finding a location. We also have the responsibility of water testing, as well as environmental aspects of each and every dump for which we have to provide that service, and we have to monitor it on a regular basis and ensure that the dump is not leeching into the water table and things like that. We also have to maintain a water facility in case of fire at the facility. So there is a lot of work involved in finding a new location and a lot of work involved in getting the consultation as to where it's going to be. It's not as easy as just picking this spot on the map as the positive spot. It does require a lot of consultation. Like I said, the environmental aspects behind each and every possible location have to be looked into and addressed.

Mr. McRobb: All right, Mr. Chair. Typically in the process of environmental screening for a new location for a waste facility, the department would have to identify a location first. That really was my question.

I'm also aware that, if the location is moved closer to Whitehorse in order to meet the traffic flow, there are also some other issues. The fire report done recently in the Ibex region, for instance, pointed out the extreme hazard that would be presented with a forest fire, should it ever occur in that region. So we know fires are definitely an issue. The minister might recall the 1999 Burwash Landing fire that was started in the nearby landfill. The community was very fortunate, due to some circumstances, that it was largely spared from the fire. We certainly don't want to see a situation such as that recur in our territory.

I understand there are a number of issues. There's the NIMBY factor as the minister pointed out, but I think we also have to look to the convenience factor and the other environmental factors and so on and try to find a better solution than is provided by the current location.

So, if he could keep me posted on any developments in that regard, we certainly would appreciate it, Mr. Chair.

I don't have too many more questions in front of me. I'm just looking through the budget and trying to get prompted in asking another question.

I notice that fire management is located within this department. I would ask him just to elaborate on more of an update -- what he is doing in the coming year with respect to fire management in the territory.

Hon. Mr. Hart: With regard to fire management, we have now had approximately three good years of working under our new system with our local volunteer fire departments and our wildland fire management staff and working with our contract employees through the First Nations. That's current. Now we are putting on training courses for the First Nation crews. This is near its final stages. We are in the process of dealing with wildland fire and we've addressed it.

Right now our critical areas, as the member opposite indicated, are in the Haines Junction area, but the other high-risk area right now is the Dawson City area, where it is traditionally very dry and we basically have a constant demand because of fires on a regular basis.

We have two contract air tanker groups that will be arriving later at the end of this month. Seasonal fire staff, as I said, are in training. It's difficult to forecast what our fire season is going to be but, given the fact that we haven't had any rain in the last three weeks, another week of this dry weather is going to make it critical. We are looking at it. Snow packs are a little higher than normal but the temperature is fairly dry. It's still fairly dry in the bush and it's not going to take much to get things started.

In 2006, the season was considered average. We had approximately 80 fires; 55 we fought and 24 we just observed because they were in areas where they weren't putting anything at risk. As I indicated earlier, last year for example, we had a very substantial fire in the Beaver Creek area -- an area that has always been classified as low risk for fire. But last year, fortunately for us, the wind changed at the right time and we avoided basically a critical situation happening in the town of Beaver Creek.

In essence, we are aware of the situation in the Haines Junction area because of the beetle-kill. For example, in 2004, we had extra crew on staff for that particular area just because of the high risk.

Mr. McRobb: Okay, I thank the minister for that update. I also note that his responsibilities include consumer services. There was an article in last night's paper about the payday loans issue, and so on. If that is related to the minister's area of responsibility, could he indicate if he is planning on bringing forward any legislation to deal with this, as some other jurisdictions in Canada have already done?

Hon. Mr. Hart: The Yukon government is interested in developing payday loan regulations to ensure that Yukon consumers have the same kind of protection as Canadians in other jurisdictions. To accomplish this, the Yukon government will work with provincial and territorial counterparts to develop and harmonize a framework for regulations on payday loan industries across Canada.

I personally have had some direct conversations with Minister Salinger from Manitoba on this issue. It is an area in which Mr. Salinger operated in the private sector prior to becoming the Minister of Finance in Manitoba for many years. I explored this situation with him on an in-depth basis. We are looking at the legislation there. This is all fairly recent legislation with regard to payday loan places. It is basically to ensure that the consumer is not being gouged by commission on the payment of cash or in the provision of temporary loans.

Mr. McRobb: I thank the minister for that.

I have another question about motor vehicles. It pertains to the driver's licence. I understand that there is some level of review currently going on about drivers' licences and the acknowledged inadequacy of the Yukon driver's licence itself. I can relate personally to this. On my recent trip through the United States, it was brought to my attention that our drivers'

licences don't even say on them that it is a driver's licence. After it was brought to my attention by a Customs official, I re-examined it and found he was correct. There were problems crossing borders with our driver's licence and problems in banks with regard to identification.

We know that the passport is the ultimate device required for international travel; however, we still have about 13 months before passports are required. In my case, I didn't have my passport yet. I was very fortunate to clear all the hurdles with only a driver's licence -- that was deemed only half adequate -- and the original copy of my birth certificate.

I think a lot of Yukoners are wondering when our drivers' licences will finally get up to speed in terms of international recognition for adequacy. Can the minister update us on his timeline for that?

Hon. Mr. Hart: The Yukon government believes the recent initiatives of the United States Congress to improve border security by the requirement of passport and passport cards will be detrimental to Canada in both social and economic aspects. We believe the introduction of a secure driver's licence and identification card in Yukon could meet the requirements for security demanded by the U.S. Congress. I would state that the Department of Homeland Security right now has indicated that the only thing they will accept is a passport at the border when the time comes. So we have been negotiating with Homeland Security on a national basis -- as well as just our jurisdiction of the Yukon in Washington earlier this year. They gave us an indication that they might accept a driver's licence, but the problem was what kind of driver's licence. There were all kinds of formats put together. The issue was whether or not it could be duplicated and everything else.

To give an example for the member opposite, New York City spent something like \$54 million on a new driver's licence and it's not acceptable to Homeland Security.

It is a big issue for us. We have had several complaints from individuals going outside the Yukon and trying to use their driver's licence to rent cars and/or to use it as identification at the border. That has been a difficulty.

In essence, we are actively working with the Department of Homeland Security as well as other jurisdictions in trying to see if a driver's licence will be applicable. If we can get that passed, then there is not much use in us going to a new driver's licence if, for example, it is not going to be up to any standard that is passed.

What we are doing is waiting and consulting with other jurisdictions and the U.S. on this issue. Once we have exhausted all those parameters then, in essence, we will either be told we have to go to a passport and, if we are doing that, we will look at upgrading our driver's licence to at least something similar to what is being done in Alaska. We are expecting something within the next year.

Mr. McRobb: I thank the minister for that.

I note that Emergency Measures is part of the department. I'm aware of one matter and that is some sort of remuneration for volunteer ambulance workers who remain on call.

Can the minister give us an update on that?

Hon. Mr. Hart: EMS is part of the Department of Health and Social Services.

Mr. McRobb: All right, I'll accept that and follow up with it in the other department.

I see the alternate minister for lands is available for a few of the questions I had earlier so I would like to ask him about the \$14.5 million that is budgeted for residential land development.

Can he give us a breakdown on that expense and identify which areas it pertains to?

Hon. Mr. Lang: I am sorry I wasn't keeping up with the conversation. The figures that the member was after were related to some industrial lots. In Dawson, there is \$250,000; in Hillcrest and Granger there is \$1 million; in Haines Junction for commercial -- that was \$47,000 for an older project. We have half a million dollars budgeted for recreation cottage lots. For the Whitehorse periphery and the Hot Springs Road, we have \$250,000 to complete that. For Grizzly Valley, we have \$5 million; for Mount Lorne, we have \$1.7 million; for mobile home residential at Arkell, we have \$250,000. That gives a total of \$7,250,000. For Whitehorse south residential, Mount Sima Road, \$1 million. Moving along here, we have planning money in Porter Creek residential, Whitehorse land development, \$6.2 million. That would be the total, Mr. Chair.

Mr. McRobb: All right. I also read the story in yesterday's *Yukon News* about the drastic shortage of building lots within the City of Whitehorse. I would like to ask the alternate minister for land: are there any lots in any areas that would be possible to fast-track in order to open them up and help avoid this problem? Specifically, has the minister consulted with the Kwanlin Dun First Nation, which owns a considerable amount of land in Whitehorse? Is there any interest on the part of that First Nation to participate in land development within the City of Whitehorse?

Hon. Mr. Lang: The Kwanlin Dun do have a planning process in place. They have been talking to the city, but we understand that Kwanlin Dun is one of the last First Nations to sign their final agreement, so there's work to be done internally in the First Nation so they can move ahead with their land planning process. We have a protocol with the City of Whitehorse and, as we all know, the referendum is going out. We will work with the city as quickly as we can as soon as that protocol is over. We understand the concern of the general population about the lack of land inside Whitehorse and we certainly are recommending and working with the city to get as much land out as possible to meet those demands.

Mr. McRobb: The Kwanlin Dun First Nation does own land outside the City of Whitehorse as well. I would like to hear more about that. When was the last time the minister spoke to the chief or one of his delegates about opening up land within its jurisdiction?

Hon. Mr. Lang: I certainly have not, as minister, had meetings with Kwanlin Dun. Kwanlin Dun does own the land. I recommend and work with the land department -- to work with Kwanlin Dun. But they do own the land and we have to work with them to see what policies or plans they are going to put forward as a government on how that land will be managed by

the First Nation and certainly look forward to working with Kwanlin Dun in the future to address those issues.

We all understand that Kwanlin Dun is one of the largest land holders, not only in the City of Whitehorse, but surrounding Whitehorse. They have a great responsibility to their constituents in their First Nation and they're doing the work that has to be done in their government to put policy in place so that they can address that issue.

Mr. McRobb: I did find that answer a bit startling, considering the need for government-to-government consultations on this matter and also understanding that it requires the political levels to also engage.

I would like to ask him now about the Porter Creek community consultations. I understand the government has the results of those consultations but they haven't yet been released. Can he give us a reason for that and when we might expect him to release the information?

Hon. Mr. Lang: In addressing the consultation on the Porter Creek land situation, there was an extensive consultation period over the last, I would say, 18 months. We are consolidating all that information and getting that report put in place. It will come out in due time.

Mr. McRobb: If the consultations are completed, we would expect the minister to be a bit more precise that the open-ended statement he just made -- "in due time". Can he be a bit more specific about a date when we might expect the information to be available?

Hon. Mr. Lang: As the member opposite must be aware, we have finalized our consultation. It doesn't minimize what the city has to do. The city is also going through consultation from their end. We will be consolidating all the information and it will be available as soon as we can put it all together. We look forward to the city getting their consultation done so that they can move ahead with getting land into the hands of Yukoners.

Mr. McRobb: Well, I'm not so sure about that response, but I'll leave it for now. Can the alternate minister indicate what the plans are for developing recreational lots and what areas are being examined?

Hon. Mr. Lang: In addressing the members opposite, we understand the concern out there for recreational land. We're working in partnership with the Teslin Tlingit on a proposed project on Little Teslin Lake that's moving ahead very well. Then, of course, we're looking at other pockets of opportunity in the area near Whitehorse to address some other issues in recreational land opportunities. So we are working on it. The Teslin Tlingit partnership is very positive, and those lots will be on the market in the very near future.

Mr. McRobb: So can he identify which areas the government is plotting to develop?

Hon. Mr. Lang: The government doesn't plot to do anything. The government follows a process. We're in the process of following the process. We have checks and balances in place so that we don't plot to do land dispositions.

This government will be very open and transparent about our process, and as soon as the lots are identified, there will be an open and transparent process on how people will have ac-

cess to the land. So in answering the member opposite, it's work in progress. We are certainly very excited about the prospects of a partnership with the Teslin Tlingit, and it gives the opportunity in that area for some rural residential lots. It also gives the government and First Nation governments an opportunity and a template of how we could move forward in managing public as well as First Nation lands for the betterment of both governments and communities.

Mr. McRobb: It is almost amusing that the minister says he doesn't believe in land plots. Obviously that speaks to the relative urgency as demonstrated in yesterday's *Yukon News* article. That is why Whitehorse contractors are faced with the current conundrum: there is a lack of land plots available. I guess we just heard it straight from the horse's mouth, so to speak. Am I allowed to use that term? Yes, I am? Thank you, Mr. Chair.

I think I'm going to give our leader an opportunity to ask questions. I know some other members do as well.

Mr. Mitchell: I would like to start off by thanking all the officials in the Department of Community Services for all their good work. It is a very important department that impacts on every Yukoner. We do appreciate the work that is done by the officials.

I have a couple of questions for the minister. It is just so that I can properly answer questions when I am asked by my constituents.

Regarding the Hamilton Boulevard extension under the MRIF program for which we have \$5 million budgeted this year, I am wondering if the minister can provide some details as to what aspects of the roadwork are anticipated being undertaken and completed this year. I'm going to roll these together because I know the minister is usually very precise in his answers.

What aspects are expected to be undertaken this year? Is there now a known end-date for when the actual road will be completed? Will it be in two years or three years when someone will be able to drive from one end to another and rejoin at the Alaska Highway?

Hon. Mr. Hart: We are in the YESAA process right now with regard to Hamilton Boulevard. We will see what comes out of that. We intend to get the clearing and grubbing done for this year. Potentially, if it comes through in time, we might be able to get the predesign work underway. We are hoping to get it done in the two-year time limit, but it may take up to three years.

Mr. Mitchell: Perhaps the minister has the same comments to make about the next question. Having attended the public information sessions about this road, there were some questions that were left open about that earlier this winter regarding alignments and options; specifically the possible use of a traffic circle or roundabout, in terms of where the road will hook up with the existing McLean Lake road and down to the Alaska Highway. I am wondering if those decisions are still pending completion of the work that still has to be done by the YESA Board. Have those design decisions been made with the City of Whitehorse in any way?

Hon. Mr. Hart: This is a combined project between this government and the City of Whitehorse. The roundabout is in design under YESAA, but it is up to the city to make that decision, because they have to maintain it when it is turned over to them. So, yes, the roundabout is in the YESAA application, but it's a decision that has to be made by the City of Whitehorse.

Mr. Mitchell: I thank the minister for that. Perhaps he could check with officials as well about the other interconnection in my riding, which was never actually shown in the public meetings. How would the extension connect at the current one-way left turn at Falcon Road and where Hamilton Boulevard currently terminates? Is that anticipated to be a three-way intersection that might be controlled by either stop signs or a light, or would it be another traffic circle of some sort that would at least facilitate the traffic in two directions?

Hon. Mr. Hart: The design for that particular thing is on the Web site -- for Falcon Drive. We don't anticipate right now that there is going to be a traffic light or a roundabout there. There will be a stop sign, just like there is at the other area.

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

Recess

Chair: Committee of the Whole will now come to order. We will continue with general debate on Vote 51.

Mr. Mitchell: Again, on Hamilton Boulevard, recognizing that this is a shared program with two other levels of government, with federal funding for \$5 million this year, I presume that means this project would be exempt from the agreements with Kwanlin Dun First Nation to look at employment opportunities to a certain level on any projects over \$3 million in their traditional lands?

Hon. Mr. Hart: Yes, that is correct. It is not subject to that.

Mr. Mitchell: Recognizing that it's not legally subject to that agreement, does the department have any plans to try and see that they maximize employment opportunities for Kwanlin Dun First Nation members?

Hon. Mr. Hart: We will entertain as much as we can within the contract restrictions that have to be applied under CSIF, the Canada strategic infrastructure fund.

Mr. Mitchell: I just want to thank the minister for his direct answers today. Also, as the need for this road is a traffic and safety issue that I raised numerous times in this House, I want to thank the minister for finally bringing this issue forward with a successful application with his partners for MRIF, the municipal rural infrastructure fund

Mr. Elias: First, I would like to thank the Community Services senior staff for providing a budget briefing on April 25, 2007. The question-and-answer period with Community Services senior staff was useful. We covered topics within my riding with regard to the dump or the landfill, road maintenance, the mountain road widening, the MRIF, and riverbank stabilization, and there was some discussion on recreational

facilities. I also requested a community budget breakdown but I haven't received that yet. I thank the Community Services senior staff for that.

I do have a couple of additional questions with regard to my riding. They are fairly specific. The Community Services water well in Old Crow that provides drinking water to the community is scheduled to be upgraded. Last year, I believe \$25,000 was associated with the testing and planning for the upgrade, and that has been revoted. It is my understanding that the upgrading of the water well in Old Crow was budgeted for, in part, because of the levels of magnesium and arsenic in the well water.

It is a community concern. One of the questions is: when will the community of Old Crow see the drinking-water well brought up to standard?

Hon. Mr. Hart: We have a contractor on base now and we anticipate going forth and working on this problem this summer to reduce the magnesium in the water to the standard level.

Mr. Elias: Another question is with regard to the landfill cleanup and the annual bear-fence repair around the landfill. When is that scheduled to be done? The question is basically about the dump cleanup so there is no leaching of dump waste or substances into the river.

Hon. Mr. Hart: The burning vessel was erected in June of last year in Old Crow and a full-perimeter electric fence was provided around the entire facility.

In regard to leaching, as I indicated earlier to the Member for Kluane, we monitor all our waste facilities for environmental issues because we have to -- with regard to water and leaching. It is something that is done on a regular basis.

When we go up there this summer, we will investigate the fence to see if it needs some repair and ascertain where to go from there.

Mr. Elias: The youth of my community have asked me to ask this question. It is with regard to fixing the ball field.

The ball field is in bad repair. The First Nation government has decided to help to fix the dugouts and all that other stuff. One of the issues is that the equipment up there, which doesn't belong to Community Services, is very heavy. It sinks into the ball field. They want to spread gravel around the inside of the ball field and possibly use the Community Services packer to help with that and to pull out some posts and so on. I believe that there is a packer up there.

Anyway, the question is if the Community Services equipment could be made available to help the youth fix up the ball field. That is the question.

Hon. Mr. Hart: Community Services doesn't maintain any equipment, but if he could be specific and send us a letter, we can work with our partners in Highways and Public Works and see if equipment can be provided to assist them in fixing up the ball field.

Mr. Elias: I have a couple more questions. One is with regard to the community alarm system. It was brought to my attention that it might be a concern. I don't know if the minister is responsible for this. In the main area around Old Crow and in the subdivision, there is an alarm system. If there is an emer-

gency or a fire, they are able to pull this system. It is not accessed, however, in the ski lodge, but by phone or by some other mechanism. They can't pull the alarm in case there is a fire at the ski lodge area of the community.

My last question -- and the minister will have to forgive me if I don't get the pronunciation right -- has to do with the assessment of the needs of elders in the community. It is a needs assessment. I am not sure of the exact wording, but is it going to be done this year?

Hon. Mr. Hart: With respect to the alarm system, we are currently reviewing the system to ascertain just what's required to keep it active and operative, so that it's available when it's required.

On the issue of the elder needs, I'm not quite sure -- I know we're looking at the elder needs as they relate to recreation, but I'm not quite sure what the member opposite is driving at specifically. If it has to do with recreation, we just received the report and are dealing with it, but if it's to do with their facilities, then that's not my department.

Mr. Elias: Just for clarity, I think it was called "In Association with the Infrastructure" -- like an elder's home or an elders facility or something like that. It was a client services assessment that needs to be done in the community -- addressing the needs, seeing how many elders are there, and what level of care is required.

I'm not sure if that is part of the minister's responsibility. Again, that's all the questions I have.

I thank the staff, again, and also the minister for his answers.

Mr. Cardiff: I recognize that a lot of questions have been covered already today. I'll do my best not to be repetitive.

I'd like to ask the minister -- I guess in his capacity as the minister basically responsible not just for fire management, but for volunteer fire departments and emergency measures. I wrote to the Minister of Highways and Public Works earlier this year. I don't know if the Minister of Community Services was aware of this or not. The issue was around the plowing of windrows -- basically on private driveways is what it boils down to.

When the Department of Highways and Public Works goes out and clears roads -- not just highways, but even when they're clearing secondary roads -- sometimes they leave fairly large windrows.

It poses a problem for the residents who want to get in and out of their driveways, number one, but more importantly it poses a concern for the people who live on those properties about access for emergency services, whether it is a volunteer fire department or ambulance. There needs to be some sort of coordinated effort, cooperation or education for the general public about how important it is to keep those accesses clear -- not just in the winter, but in the summertime as well. There needs to be a public education effort to ensure that the public understands how important it is to have their accesses kept clear for things like volunteer fire departments, in case of wild-land fire, or if an ambulance has to attend to an emergency. I'm just wondering if the minister -- in his capacity regarding community services -- because this just won't affect residents in my

riding, which is where it came up, but it will affect every community in the Yukon. I think it's important.

So I'm wondering whether the minister has given any consideration to that fact and what could possibly be done.

Hon. Mr. Hart: I think that access to anybody's property in the rural areas, especially in the country residential areas, is very important, in addition to numbering. I'm sure the member opposite knows that, given that where he's living now is a kind of unusual place and it's difficult to find if you are not familiar with the area.

Marsh Lake, for example is even worse. It's pretty bad when a fire is called, the fire truck goes there and it doesn't know where it is. I think access to the property is very important. The last time I checked, though, the fire season doesn't come in the wintertime so the windrow really isn't going to be a difficulty for that particular aspect.

I'll take the member's situation under consideration. I think it is probably something that we probably could do -- providing some education for some people. We do, for example, under FireSmart, provide several private home inspections for dealing with FireSmart. I think that might be something we could look at as part of an education process for our rural constituents.

Mr. Cardiff: I wasn't just referring to wildland fire; I was also referring to volunteer fire departments. If the minister is not aware, the incidence of chimney fires in the Yukon in the wintertime is probably far greater than it is with the weather we are having here today, actually.

The minister brought up another good point in his response -- something that has been brought to my attention by my constituents and members of the volunteer fire department. It is numbering. It's about identification of residences. When volunteer emergency responders -- whether they're dealing with a medical emergency, a fire, or some other type of emergency -- get a call and they go out, especially in rural areas, finding that spot where the call came from is really important.

One of the things I found out was that the lot numbering -- I can't remember exactly how it works. When the person explained this to me, it made a lot of sense. The numbering in the Robinson subdivision doesn't make any sense. The numbers go around the subdivision on the outside. Then they pick up and come back around the other way or something. It's not like the odd numbers are on one side of the street and the even numbers are on the other side of the street, like it would be in downtown Whitehorse on the main streets.

As well, on the highway -- whether it's the Alaska Highway, the Klondike Highway, or any other highway -- where there are residences -- it could be on the Tagish Road or the Atlin Road -- there needs to be some means of identification. I just saw an article in an on-line newspaper from, I believe, Powell River, B.C. They came up with signs for numbering so that emergency responders can know where they are and it identifies the lots.

I know that this is an issue for emergency responders at the Golden Horn fire hall and at the Robinson fire hall. I'm sure it is at other volunteer fire halls in rural areas.

Is there an initiative -- something -- that the Department of Community Services is looking at to improve that situation?

Are they looking at something that will make these residences more identifiable so that emergency responders can find these properties more easily?

Hon. Mr. Hart: I think access, whether it is emergency, fire or whatever, and the point he brings up is a very important issue, especially in our rural areas. But I think first and foremost it is a responsibility of the individuals to ensure that their lot number is out there.

I think it is important that they get together and submit something, make a request, for example, to come to the department and request a street name and/or number.

When it comes to numbering, we use Canada Post's system for numbering. When it comes to a lot number, that is the legal description. As the member stated, there is no rhyme or reason to it because you can be at Lot 17 and the one next to you is Lot 45 if it had an enlargement. When they do the enlargement, that is the new lot number now. So, what used to be Lot 15 is now Lot 55.

I would remind the member opposite that it is not quite as easy as he is making it sound. The member from the beautiful Southern Lakes found out that it wasn't quite that easy when we went out there either. It took a long time to get everybody together to agree on just what type of numbering system and what type of street, but we finally did get it done.

It is the responsibility of the residents to get together to come to an agreement and make a request to Community Services to come to the site. We will assist them with the process, but it is up to them to move things ahead and it is up to them to put the signs up on their lots. We'll help with the street signs and that, but they still have to put up the lot signs. That is the important part. When we are doing that, I think that is the important part -- the education on the process with regard to access to their land and why they should put numbers up. I think that is also a great opportunity for the volunteer fire department to be there and to explain why it is so necessary to be there.

In Mount Lorne, for example, I think they have a fairly good sophisticated computer system set up there to help out in their housing area. Every volunteer fire department has a certain way of doing things in their particular area. Marsh Lake has a fairly good system, as does Tagish now. They have a full crew there and can cover the area quite well.

With regard to access, it is up to the residents in the area or community to get together and decide that's what they want to do. They need to indicate to the department what they would like to do. They make a request. It doesn't happen overnight. It takes some time to go through that process. We have that service available to us and we can do it. We have done it in Marsh Lake and Ross River.

Mr. Cardiff: Maybe the minister could clarify which body makes the request. Is it the community association, the hamlet council or the volunteer fire department that makes the request? Where exactly does that request go? Do they send it to the minister or the deputy minister? Where do they send it?

Hon. Mr. Hart: That was three or four questions all at once. In essence, it's the LAC that makes the request and the letter is addressed to Community Services and directed to the attention of the director of corporate services.

Mr. Cardiff: I will take that back to the people who raised the concern so they can raise it with the local area council.

I have another question. It is really good to finally see money in the budget -- I believe I saw money in the budget for the Golden Horn fire hall. Can the minister confirm this?

Some Hon. Member: (Inaudible)

Mr. Cardiff: Yes, okay, there is.

During the briefing that we received from the minister's officials -- and I thank the minister for the briefing, which was pretty thorough -- mention was made that in order for it to proceed, the Golden Horn fire hall needed to go through the YESAA process. Can the minister tell us whether or not an application to the YESA Board has been filed yet? If not, how soon will that be done?

Hon. Mr. Hart: We are currently working on that application to be submitted under YESAA. Yes, we were advised that we had to do that because we're looking at tearing down the old facility and building a new one because we have a very small lot there.

Mr. Cardiff: I guess my question for the minister is this: is this going to be a winter works project? How soon do they plan to commence construction?

Hon. Mr. Hart: I'm hoping construction can start in early September.

Mr. Cardiff: The minister mentioned that they would be tearing down the existing facility and building the new facility. Is a place going to be provided to store the equipment in the interim?

Hon. Mr. Hart: Could the member just repeat that again, please?

Mr. Cardiff: The minister said that in order to build the new fire hall, they had to tear down the old one. Unless they build the new one really fast, equipment will be parked outside while they're building the new one, unless the minister is mistaken, and they're going to build something and then tear it down.

Hon. Mr. Hart: Yes, actually, we will be building fairly close to the existing fire hall. But when the new fire hall is done, the old fire hall will be taken down, because we don't have the room to take out the equipment and everything else.

Mr. Cardiff: I thank the minister for clarifying that. This project has been a long time coming. I know it was something I raised with him a number of years ago and he actually did have it in the budget but I think that was the year we had extraordinary wildfire expenses. The minister was actually really busy that year too.

I would like to touch on a few other things as well. The minister, as minister responsible for Community Services, is also responsible for labour services. Can the minister tell me whether or not there was any investigation done by labour services branch into the issues that I raised about the Carmacks school?

Hon. Mr. Hart: Yes, as I indicated to the member opposite previously, we did investigate the area in question with Dowland regarding the Carmacks school.

Mr. Cardiff: Can the minister tell me whether or not it was confirmed that these threatening notices were in fact posted? Can he tell me whether or not there was any action taken?

Hon. Mr. Hart: With regard to the actual posting of the item, there was nothing seen up there that could indicate that. When we discussed it with the contractor in question, there were appropriate steps taken. They were unaware of the poster being posted. As such, no action was taken with regard to the posting itself.

Mr. Cardiff: I find that hard to believe. It was posted right on their work station. I don't know how a contractor could have missed that, to be honest with you.

We'll move on to another area that the minister has responsibility for. I've written to the minister -- and it has been raised several times -- the issue around the *Animal Protection Act*. It's my understanding that the minister has hired someone to review existing animal protection legislation in the territory and in other jurisdictions to come up with something that will be more modern, provide for more enforcement, and provide for the protection of animals and prevention of cruelty to animals and mistreatment of animals.

Where are we at with that now? When does the minister expect that new legislation will be drafted and brought before the House?

Hon. Mr. Hart: I stated that a working group has been formed and we've contracted a veterinarian to examine legislation and methods of other jurisdictions to address animal protection. We have recently received the draft report from the consultant, which is being reviewed now. We anticipate this report will be finalized in the near future and we will share it with all the stakeholders. The findings will be used to focus on the discussions with key Yukon stakeholders. They include the Humane Society, municipalities, RCMP and the requirements and methods needed to address domestic animal protection.

The Yukon government continues to support the good work of the humane societies and we believe that all animals deserve to be treated humanely and that the appropriate consequences should be in place for those who abuse the privilege of keeping domestic animals.

We have indicated we will be accepting the recommendations, looking at what the doctor provides, and he is going to address things that should be looked at. We will then consult on those issues with all of the stakeholders. Then we will come back and make the legislative changes, if they are required.

Mr. Cardiff: I like the way the minister qualified that with "if they are required". I am sure you know first-hand, Mr. Chair, as to whether or not they are required, coming from your community.

The minister did not answer the question. I asked when they anticipate bringing the legislation forward. I would appreciate it if, once that draft report is made available, the minister would provide it to members on this side of the House. I find it hard to believe that the minister would actually qualify this whole exercise -- legislative changes -- as "if they are required." There is no doubt in my mind, given the petition that

we received and which I tabled in this House, and given the media coverage, that improvements are needed.

Hon. Mr. Hart: I think that we all understand the situation that happened there. We have federal law and we have Yukon law. The federal law situation is in place. As I indicated, there may be changes required and there probably will be some required in some portions of the law, but not all. We won't know until this consultant gives us the report about what is required to achieve the process by which other jurisdictions are handling it.

It would be folly for me to give the member opposite a date until we go out for the consultation, find out what the results are and come back and write the legislation. The consultation may require lots of legislation or the consultation may require a minimal amount. Of course, until that is complete, I can't guarantee the member opposite when the new legislation will be done. Once the consultation is complete, we still have to go through the legislative review and the changes to the appropriate acts that are required to ensure the safety of all domestic animals.

Mr. Cardiff: I have a few more questions for the minister here. This is another issue that I have raised with the minister for the last three or four years -- the well program and its availability to municipalities.

Has the minister resolved the municipalities' concerns that it would be identified as part of their debt if they were to participate in the well program -- with regard to the borrowing limits that they would have? It would affect the borrowing limits of the municipalities and they wanted that resolved. Has that been resolved?

Hon. Mr. Hart: I have stated this previously here as well as to the Association of Yukon Communities. It is really a non-issue in all municipalities except for one. The amount, for example, under the well program that the government has in place is just a little over \$1.2 million. That covers all the Yukon. It is not a really large amount of money.

We've been in it now for almost five years and I don't believe it is going to be a big issue. Like I said, for only one municipality is it a real issue because all the municipalities have a surplus and are not anywhere near their debt load.

Mr. Cardiff: It's going to be interesting to send some of these responses out to my constituents and some of the people who have raised these concerns.

Is the government currently working with the City of Whitehorse to make this program available, or is this issue now dead? The minister can't continue to point the finger at the city, and the city can't continue to point the finger at the minister. The reality is that there is a list of people who are interested in the well program and live within Whitehorse city limits, but they haven't been able to access it. This was raised when we first dealt with the whole idea of a well program.

I raised this concern, other people raised the concern, the Member for Lake Laberge -- the Government House Leader -- raised it with the minister. He didn't raise it in the Legislature, but it was a concern to him. Have we made any progress on this? Are there any negotiations taking place? Is there some-

thing being tried so that it serves the needs of those who wish to partake in the program?

Hon. Mr. Hart: We have done everything we can to assist the City of Whitehorse with this program. Unfortunately, the program requires that the security is applied to the taxes, and the City of Whitehorse is in control of the land taxes. They have the authority. As I mentioned earlier, the City of Whitehorse is certainly in no jeopardy with respect to their amounts of lending, and they can do it. But it's a question of administration for them, and it's also a question of going to the land tax.

I have been advised that initially there were lots of requests within the city when the program first came out -- when we announced it -- but there has been a limited demand, according to them, for people who want the program within the City of Whitehorse.

Mr. Cardiff: I thank the minister for that. That's what happens when you grind them down. You just keep telling them no, telling them no, telling them no, and eventually they will go away. I guess that is the success of that well program, in my mind anyway.

I have a question about the municipal rural infrastructure fund. The way it has been explained to me -- I know there are some variations on this and the minister's officials explained this to me during the briefing with regard to one of the projects. Typically the federal government kicks in a third, the territorial government kicks in a third, and the proponent of the project -- usually a municipality -- would kick in the other third of the project. In some instances, the federal government will kick in half of the proponent's third because they may not have the financial resources to do that.

This is maybe somewhat hypothetical -- I don't have the criteria in front of me for it, but my recollection is that non-profits, community associations, theoretically LACs, could apply for MRIF funding. The minister is shaking his head. Can community associations apply for MRIF funding? You don't have to be a government to apply for MRIF funding.

If a non-profit society applies to MRIF funding for a project that meets the criteria and demonstrates that it meets the objectives of the program, or if it is a community that says that they want a project in their community, but the local area council can't apply for the funding -- we're not sure if the community association can; they may be able to -- we know what kind of funding LACs get and what they are allowed and not allowed to do with it. We know what kind of funding is available to community associations. This would be an infrastructure project. If it meets the criteria, it sounds like the federal government is willing to basically fund the one-third, plus another one-sixth. In an instance like this, if there is no funding, I have two questions. Is sweat equity an option? Secondly, would the Government of Yukon consider funding the remaining one-sixth?

Hon. Mr. Hart: First of all, they don't qualify. They can't apply; sweat equity doesn't apply; they have to be a government to get an application under MRIF. Someone has to operate the infrastructure when it's built. If it's built, someone has to deal with it. If it's going to be something in a rural unincorporated area, it would probably be covered under our ser-

vices as unincorporated, if we deem it a priority for that particular area.

Mr. Cardiff: So, if it is in an unincorporated area, such as Mount Lorne, it would be a Yukon government project? Maybe what I need to do is sit down with the minister and his officials and lay this one out.

I thought I would explore it here just to find out. Maybe the minister can tell me this: if the community came forward with a project they wanted completed -- obviously they don't have a budget, they don't have a tax base, they don't have revenue, and it would be a project that the government would assume ownership of -- where does the other third come from? Is the government prepared to fund that?

Hon. Mr. Hart: I think if he had gotten to this stage a long time ago, we could have answered it. It is 50/50. If it's unincorporated and it's our priority, we pay 50 percent and the federal government pays 50 percent, and it's our priority. The Marsh Lake Community Centre is a perfect example, and we do that.

But, in essence, whatever that facility is, as I stated, it has to operate. It's infrastructure. Somebody has to pay for that. That has to be calculated in the costs in dealing with all that.

If the member opposite wishes further information, he is more than welcome to discuss it with my officials and we carry forth.

Mr. Cardiff: I will be taking the minister up on his offer later on for sure.

That brings me to one other question. I asked the minister a question the other day about this and I would just like to know whether or not there has been any consideration given in the intervening days to the proposal that has been made in Dawson City with regard to the Tr'ondek Hwech'in making land available for the Dawson City sewage treatment facility. Are there any discussions going on or is that something the Tr'ondek Hwech'in would have to take on on their own? Or is the government currently talking with them about the possibility of locating the sewage lagoon on that site?

Hon. Mr. Hart: As I stated in the House, we have a court-ordered obligation to show progress. We have submitted an application under YESAA for the current site of 1059 and that process. The First Nation indicated to us previously that the site they had was not available to us because they had a resolution. Coming to us less than two months before going to court just doesn't give us sufficient time. Basically, it's too little, too late.

In essence, the First Nation does have the ability under YESAA to bring forth their issue, just as the government has the same ability to defend its current position of where it is going to be. We have a court order. At the end of June we have to show progress. We submitted our application to show progress on that current site, because that's the site we've done our current work on.

We have done a substantive amount of work on that particular site. The work has not been completed on the First Nation site.

Mr. Cardiff: I would like the minister to clarify this. He is saying the First Nation can bring forward their issue un-

der YESAA. So is he saying they can bring forward their concerns about the 1059 site -- the site that is kind of under the Dome, below the road that goes up the Dome? They can bring forward their concerns during that YESAA hearing? Or is he suggesting that they file a YESAA application for their site? It's not a Tr'ondek Hwech'in proposal. This is a government project. The government is paying for it; it's in their budget.

Hon. Mr. Hart: They can bring forth their concerns under YESAA with regard to 1059.

Mr. Cardiff: So there are no discussions going on. The minister has basically slammed the door to that possibility. I don't think I have any more questions.

Chair: Is there any further general debate? Hearing none, we will proceed line by line.

Mr. Cardiff: I would request the unanimous consent of the Committee to deem all operation and maintenance lines in Vote 51, Department of Community Services, cleared or carried, as required. We'd like to go through the lines.

Unanimous consent re deeming all operation and maintenance lines in Vote 51, Department of Community Services, cleared or carried

Chair: Mr. Cardiff has requested the unanimous consent of the Committee to deem all operation and maintenance lines in Vote 51, Department of Community Services, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$51,434,000 agreed to

On Capital Expenditures

On Corporate Services

On Office Furniture, Equipment, Systems and Space

Office Furniture, Equipment, Systems and Space in the amount of \$1,141,000 agreed to

Corporate Services in the amount of \$1,141,000 agreed to

On Protective Services

On Fire Suppression

On FireSmart

FireSmart in the amount of \$1,000,000 agreed to

On Emergency Measures

Emergency Measures in the amount of \$168,000 agreed to

On Fire Marshal

On Major Facility Maintenance

Major Facility Maintenance in the amount of \$51,000 agreed to

On Major Facility Maintenance -- Golden Horn Fire Hall

Major Facility Maintenance -- Golden Horn Fire Hall in the amount of \$1,055,000 agreed to

On Fire Protection

Fire Protection in the amount of \$547,000 agreed to

On Fire Management

Fire Management in the amount of \$370,000 agreed to

Protective Services in the amount of \$3,191,000 agreed to

On Community Development

On Sport and Recreation

On Specialty Games

Mr. Cardiff: Could the minister provide a breakdown and an explanation for this line item?

Hon. Mr. Hart: The \$686,000 consists of two projects. There is \$666,000 for the final year of our three-year agreement to contribute to the construction of the multiplex for Whitehorse and \$20,000 for the Canada Winter Games research proposal for the community capacity building.

Specialty Games in the amount of \$686,000 agreed to

On Recreation/Community Centres - Various

Recreation/Community Centres - Various in the amount of \$75,000 agreed to

On Prior Years' Projects

Prior Years' Projects in the amount of nil agreed to

On Property Assessment and Taxation

On Rural Electrification and Telephone

Rural Electrification and Telephone in the amount of \$500,000 agreed to

On Domestic Well Program

Domestic Well Program in the amount of \$700,000 agreed to

On Community Infrastructure

On Community Planning

Community Planning in the amount of \$325,000 agreed to

On Planning and Pre-Engineering

Planning and Pre-Engineering in the amount of \$90,000 agreed to

On Project Management

Mr. Cardiff: Could the minister provide an explanation and a breakdown for this line item?

Hon. Mr. Hart: This is to cover the salaries and benefits of staff engaged in management, administration and technical support for the community infrastructure projects.

Project Management in the amount of \$915,000 agreed to

On Water Supply, Treatment and Storage

On Water Supply, Treatment and Storage -- Army Beach Community Well

Water Supply, Treatment and Storage -- Army Beach Community Well in the amount of \$900,000 agreed to

On Water Supply, Treatment and Storage -- Prior Year's Projects

Water Supply, Treatment and Storage -- Prior Year's Projects in the amount of nil agreed to

On Water and Sewer Mains

Water and Sewer Mains in the amount of \$200,000 agreed to

On Sewage Treatment and Disposal

Sewage Treatment and Disposal in the amount of \$200,000 agreed to

On Sewage Treatment and Disposal -- Burwash Sewage Lagoon

Sewage Treatment and Disposal -- Burwash Sewage Lagoon in the amount of \$75,000 agreed to

On Solid Waste

Mr. Cardiff: Could the minister provide an explanation and a breakdown on this as well, please?

Hon. Mr. Hart: There are two projects. Facility improvements for regulatory compliance is \$150,000, which in-

cludes electrical fencing and signage, trenching and site expansion of the territorial solid-waste facilities and facility land tenure. There is also \$20,000 to complete the inventory of land tenure for all community development branch facilities and apply for land transfers for those sites on federal land reserves and perform legal surveys as required.

Mr. Cardiff: This was something that came up at the Association of Yukon Communities conference, I believe. There were some questions about municipalities having to do their re-applications -- I don't know if it's for property tenure, but for their waste-management sites. When the government does these projects, do they have to go through YESAA as well? That was one of the issues, I think, that the minister agreed was problematic. I am just wondering whether it is.

I didn't catch it -- the minister said there were two projects. Where are those projects?

Hon. Mr. Hart: I'll read for the member again. The \$170,000 consists of two projects: facility improvements for regulatory compliance at \$150,000, which includes electrical fencing, signage, trenching, site expansion, territorial solid-waste facilities and facility land tenure, and a \$20,000 project to complete inventory of land tenure for all community development branch facilities, to apply for a land transfer for those sites on federal land reserves and to perform legal surveys as required.

We do have to apply through the YESAA process for all of our land sites.

Mr. Cardiff: The minister still didn't give me a location. Where are these projects located? Are they in Whitehorse? Are they in Teslin? Are they in Carcross? Where are they?

Hon. Mr. Hart: They are territory-wide. The project is \$150,000 to deal with fencing and all these projects year-round and it's the same with the other issue. They are two separate projects but they are territory-wide.

Mr. Cardiff: Maybe this is why we need more information up front and then we wouldn't be asking these questions now. The minister is talking about electric fences. The electric fences have to be going somewhere and he is saying that it is territory-wide. All I am asking is: where are the projects? He is saying they are territory-wide. Surely, they must have an idea where these projects will be taking place?

Hon. Mr. Hart: We do an assessment each year on what items have to be done and we go through them. If the member opposite wants to get site-specific, we did fencing, collection of waste metal removal at Mount Lorne, a composting program to begin in the summer of 2007 to further reduce the amount of waste transferred to the city from Mount Lorne.

Old Crow -- a burning vessel; Beaver Creek -- a burning vessel. We're also looking at picking up the metal waste this summer.

Canyon and Champagne -- we're exploring the burning facility waste at these places. We're also looking at cleaning up the facility at Champagne.

Marsh Lake -- begin operating the transfer station. We're also working with the Marsh Lake Solid Waste Management Society to provide staffing in restricted hours of operation. The hazardous waste shed has been upgraded.

Destruction Bay -- a burning vessel.

Deep Creek -- the facility has been operated as a transfer station. All waste metal has been removed from the site since last year.

Keno City -- a burning vessel. Keno City -- electric fence.

Stewart Crossing -- a burning vessel.

Upper Liard -- a burning vessel that was installed in 2006. The community is not using the vessel efficiently and continues to dump waste in front of it, rather than use the vessel. But, anyway, we still have it there.

Silver City -- burning vessel is done.

Forestview -- we're looking at a perimeter electric fence.

Tagish -- facility continues to operate the trench and burn, and all waste has been removed.

Carcross -- facility continues to operate as a trench and burn and metal waste has been removed.

Ross River -- burning vessel was installed and waste has been removed.

Pelly Crossing -- burning vessels have been explored for the site, with a possible invitation in 2007.

Mr. Cardiff: This is something that I know in several communities -- and it does raise a concern, with me anyhow, and I'm sure the member for the beautiful Southern Lakes will concur with this. The practice of burning refuse at solid waste management sites is not something we should be doing any more.

I know that it reduces the volume, allows it to be compacted and is economically efficient, but in this era of climate change -- and the Premier is all over this and how we have little or no impact -- I find it hard to believe that we can be burning household refuse that contains lead only knows what. It probably includes aerosol cans. I can't see where this is good for the environment. I can't see where it is good for climate change. I can't see where it's good for communities. I know we shouldn't be telling communities what is best for them, but the reality is that we are in more modern times.

The member for the beautiful Southern Lakes is holding his head. I think he has a headache. He knows full well the experience they have had at the waste facility in Marsh Lake and how successful that has been with the waste transfer facility.

There's a good example in my riding of Mount Lorne where they are transferring waste. These are two projects that are successful.

Is the minister giving any consideration to proposing waste transfer sites in any other communities in the Yukon and finding a central location for some communities so they won't have to burn their waste?

Hon. Mr. Hart: We are working toward eliminating our burning stations wherever we can. We have built two transfer stations since last year. We are dealing with it, but again we have to be able to go somewhere. We've done it at Lake Laberge and we've done it at Marsh Lake. We're also trying to recycle wherever we can -- both metal and plastic and bottles. I think that part of the issue is educating people to recycle and to reduce the garbage as well as the cans that are going into the fire process that the member opposite talks about.

We are working toward reducing and recycling wherever we can, as well as looking at a transfer station where it is feasible and economically viable for the community.

Mr. Cardiff: Well, I'm glad that we're moving forward on some fronts. But I was just a little alarmed and concerned that when the minister read out the breakdown and explained exactly what the projects entailed, it seemed to be -- it seemed to me, anyway -- that there were a lot of burning vessels being mentioned, a lot more than there were transfer stations or any other projects like that.

Mr. Chair, seeing the time, I move that we report progress.

Chair: Mr. Cardiff has moved that we 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

Mr. Nordick: Committee of the Whole has considered Bill No. 6, *First Appropriation Act, 2007-08*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

The time being 5:30 p.m., the House now stands adjourned until 1:00 p.m. Monday.

The House adjourned at 5:30 p.m.