Whitehorse, Yukon
Tuesday, November 20, 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 National Child Day

Hon. Mr. Cathers: I rise in the House today on behalf of the government members to pay tribute to children and National Child Day. Originally designated in 1993, the aim of National Child Day is to promote awareness of the United Nations *Convention on the Rights of the Child.* The convention spells out the basic rights to which children everywhere are entitled. These rights are based on the principles that a child's best interest should be the first consideration in any action that affects him or her; that all children have the right to life, survival and development; that all children have the right to participate; and that all rights belong to all children. These basic principles inform children's rights to special protections, to special education and care, to play and rest, to a voice and to health.

While it goes without saying, I think it's worth emphasizing the point that parents and family play a primary role in the lives of our children. Here in the Yukon, we believe that government's role is to support parents and families in their efforts to raise their children in safety and security. That's why we recently increased childcare subsidies by an average of 70 percent.

These subsidies help support low-income families, not just single parents. As well, we recently increased our yearly funding to Yukon Food for Learning by $50,000, bringing the annual total to $91,750. This additional funding will help ensure that no child goes to school hungry in the Yukon. Last summer we announced an increase to the direct operating grant the government provides to Yukon childcare operators for staff wages, and overall the total increased investment in childcare will amount to $5 million at the end of five years.

In addition, we established a one-time childcare capital fund of $1.3 million to help address the lack of adequate childcare spaces throughout the Yukon. We have done this, not simply because we understand that children are the future of the Yukon, but because they deserve to be safe, fed, educated and happy. Children deserve the best efforts of everyone at all times.

Thank you, Mr. Speaker.

Mr. Mitchell: It gives me great pleasure to rise today on behalf of the Official Opposition to pay tribute to National Child Day. The theme of National Child Day 2007 is, "I have the right to be active!" This year's theme promotes the importance of physical activity for children's health and well-being. National Child Day recognizes children's rights to be healthy and to enjoy the highest attainable standards of health, by promoting healthy growth and development, better social development and increased self-confidence to pursue their goals in the future.

Our children are among the most vulnerable members of society and we all have a responsibility to protect and nurture them whether we be parents or not. National Child Day serves as a reminder of the importance of guarding the rights of children and providing them with safe and appropriate environments for healthy development. This is the day we set aside each year to celebrate Canada's most precious resource -- our children.

National Child Day is a day to remember that children need love and respect to grow to their full potential, a day to marvel at their uniqueness and all they have to offer. It is a day to celebrate the family and think about how adults affect the development of children close to them.

We are fortunate to live in a country that acknowledges and encourages our youth to be all they can be. Here in the Yukon our youth constantly make us proud of their achievements in education, sports and the arts, just to name a few areas. We would like to take this opportunity to thank the many daycare workers, teachers, coaches, mentors, volunteers and members of the RCMP for the continuing commitment in helping nurture our children. Canada's future depends on the healthy development of our children. National Child Day is really about our future, for our future is ultimately in their hands. Our children are our greatest asset. Let us honour the child of today, the leader of tomorrow.

Thank you.

Mr. Edzerza: I rise on behalf of the NDP caucus to pay tribute to Universal Children's Day and National Child Day, both celebrated each year on November 20. On this day, November 20, the House of Commons is debating the third reading of the NDP's private member's bill, C-303, *Early Learning and Child Care Act*. This bill offers us the opportunity to ensure that all children have access to high quality, affordable, not-for-profit childcare and it outlines standards of care that must be implemented by provincial and territorial jurisdictions to have access to federal childcare funding.

It is our hope that this legislation will stop the expansion of profit-based childcare centres where poor working families cannot afford the cost of childcare.

Recognition of this day goes back to the declaration of the *UN Convention on the Rights of the Child*, signed by more countries than any other convention. In addition, Canada has designated National Child Day in recognition of the UN convention and of the rights of children.

These days of celebration represent a commitment on our part to treat all children with dignity and respect. Articles in the *Convention on the Rights of the Child* cover the rights of children to survival, to develop to the fullest, to protection and to participate fully in society.

It is with deep regret that we must acknowledge that many of the rights enjoyed by children in the mainstream of society are not the privilege of all children in Canada. Children living in poverty do not have the right to survive when they live in communities that have overcrowded homes, that lack basic infrastructure such as clean water, and where parents are unemployed and in poor health themselves.

Aboriginal children are not free to choose the right to develop to the fullest when racism continues to rob them of self-esteem and opportunities. Canadian children are not always protected from physical and emotional abuse brought about by addictions. The right to participate fully in society is not theirs because of these factors, which have been inherited through destructive policies and the lack of full social support.

There are many people who find the absence of these rights for children an insurmountable burden, but we must remain optimistic. Aboriginals and the working poor, the world over, are united in the desire to develop skills to live effectively and to change their children's future. They will succeed.

On this National Child Day, let us recommit ourselves to the principles of the rights of the child and to implement ways of upholding children's rights to education, health care and economic opportunity.

Thank you, Mr. Speaker.

Speaker: Are there any further tributes?

Introductions of visitors.

Are there any documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Mitchell: I have for tabling a letter from the Auditor General of Canada pertaining to the Government of Yukon's investments.

Speaker: Are there any other documents for tabling?

Are there reports of committees?

Are there any petitions?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 41: French text

Hon. Mr. Hart: I am tabling a bill that contains what I believe to be a true translation into French of the English text of Bill No. 41, entitled *Securities Act.*

Speaker: Are there any further bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the Government of Canada to continue funding and enhance, where applicable, the aboriginal justice strategy.

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

THAT this House urges the Government of Yukon to provide our children with the skills and knowledge to successfully move on to the next phase of their lives by funding Yukon College to allow it to eliminate tuition fees for Yukoners taking three developmental studies programs: adult basic education, apprenticeship preparation program, and college and career preparation.

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

THAT this House calls upon the Minister of Justice to direct the RCMP in the Yukon to suspend the use of tasers in the territory until there has been an independent national review of the safety and appropriateness of this weapon in law enforcement.

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

THAT this House urges the Yukon government to recognize and act on the values inherent in the federal New Democratic Party's private member's Bill C-303, *Early Learning and Child Care Act*, which

(1) sets out the terms, criteria and conditions of federal funding for childcare services;

(2) requires provinces and territories to establish programs that adhere to principles of high quality care and emotional and social development of children;

(3) ensures accessibility to all children, including those with special needs; and

(4) establishes a process for accountability of programs of childcare.

Speaker: Are there any further notices of motion?

Is there a ministerial statement?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Justice minister, conflict of interest with YUB

Mr. McRobb: Mr. Speaker, during yesterday's debate on the supplementary budget, I asked the Justice minister whether she had followed up yet on the recommendation of the Yukon Utilities Board to initiate a general rate application process for the Yukon's electrical utilities, and if so by what date. At that point, she declared a conflict of interest and could not answer this simple and important question. This impromptu announcement was rather surprising and left us guessing at what could possibly be the reason preventing the Justice minister from fulfilling her responsibility to start this important process. So let's give her the opportunity now to explain for the record what is the reason preventing the Justice minister from ordering the Yukon Utilities Board to direct the utilities to file a rate application?

Hon. Ms. Horne: When I was questioned yesterday on the general rate application, I misheard and misunderstood the question. Having reviewed the Blues, I see my error and would now like to assure members that I remain involved in all matters other than the actual transmission line. On the Carmacks to Stewart Crossing transmission line project, I have sought and

received the advice of the Conflicts Commissioner and have stepped aside on this issue.

Mr. McRobb: Well, Mr. Speaker, I thank the minister for that clarification; however, I fail to understand why it wasn't given yesterday.

Now, we checked the minister's disclosure statements this morning and found there was no conflict of interest identified in those papers. We checked the same statements for other ministers and found the Minister of Community Services had declared his conflict of interest with respect to the land because of his holdings at the Meadow Lakes golf course. So why doesn't the Justice minister live up to the same standard used by one of her colleagues and declare this conflict of interest in her disclosure statement?

Hon. Ms. Horne: Mr. Speaker, with respect to the Carmacks to Stewart Crossing transmission line project, I have sought and received the advice of the Conflicts Commissioner and I have stepped aside on any matter pertaining to the transmission line.

Mr. McRobb: Mr. Speaker, given her judiciary responsibilities, one would expect the territory's Minister of Justice to set a good example with respect to reporting a conflict of interest. Unfortunately that has not been the case.

Now, I'd like to re-ask yesterday's question regarding instructions to the Yukon's electrical utilities to file a joint general rate application. On two occasions earlier this year, the Yukon Utilities Board wrote that it wanted this government to ensure the joint filing of the application was done by the end of October. Back on June 13 of this year, the Justice minister herself promised this House she'd be responding very shortly to the YUB's recommendations on a GRA filing.

Can the minister now confirm that she has requested the Yukon Utilities Board to direct the utilities to file the GRA and by what date?

Hon. Ms. Horne: I do confirm that we agreed to send the letter out and the soonest this letter can be out is very early in the new year.

Thank you.

Question re: Taser use

Mr. Inverarity: I have a follow-up question on the use of tasers in the Yukon. The minister confirmed yesterday that tasers have been used by the Justice department personnel at the Whitehorse Correctional Centre. In light of this revelation, the public deserves to know the facts about taser use in the Yukon. Specifically, we would like to see the Justice department's policies governing the use of tasers, statistics on how many times Whitehorse inmates have been tasered by corrections' officers and if any complaints have been raised as a result of tasers being used inappropriately.

Will the minister disclose this information to the public and in writing?

Hon. Ms. Horne: There has been a lot of media coverage on the very tragic incident at the Vancouver International Airport. As I noted yesterday in this House, at the recent meeting of the federal and provincial ministers responsible for justice and public safety in Winnipeg, that while tasers often do save lives, there may be more to be learned about the effects they have on the human body, particularly when those persons are already in some state of distress.

Given the federal-provincial-territorial communiqué stating that given there has recently been work done in policing sectors in a number of jurisdictions on the use of tasers, ministers requested officials to have this brought forward together, to share information and best practices on the use of tasers in Canada.

Mr. Inverarity: I guess that was the meeting the minister didn't make.

Mr. Speaker, at first we were led to believe by the minister that only the RCMP use tasers. Then we find out that tasers are available to corrections officers, but only after we specifically asked the question. Yukoners are seriously concerned about this issue. We have a right to know if tasers are issued to other government officials and under what circumstances the tasers are used. Conservation officers are a good example. Do they carry tasers or do they have access to them? Will the Minister of Justice tell the public who else in the government has access to tasers?

Hon. Ms. Horne: Responding first to your question about me not being at the ministers conference in Manitoba, I point out that my first responsibility is to the Yukon and those Yukoners who elected me to the Legislature to represent them. Therefore, I am in the House to represent them to the best of my ability.

Regarding the use of tasers at the Whitehorse Correctional Centre, I reported yesterday that the only time a taser has been used was in the year 2004. Each time a taser is used, it is investigated thoroughly. Only certified staff members are permitted to use the taser, and then only in specific situations. I have confidence that the superintendent of the Whitehorse Correctional Centre, who is responsible for the use of this tool, is ensuring that it is used in a safe and effective manner, for its intended purpose.

Mr. Inverarity: Mr. Speaker, I don't think I am going to comment on that. The use of tasers has become a serious issue across the country. Many jurisdictions are launching inquiries into the use of tasers. Some jurisdictions are seriously considering a moratorium on tasers in light of the escalating death toll.

There are many unanswered questions about the appropriate use of tasers, the effectiveness of this device as a non-lethal weapon -- specifically the health effects by being zapped by 50,000 volts would be interesting to know. In light of the growing concerns about the safe use of these high-energy weapons, will the minister follow the lead of her counterparts in other jurisdictions and investigate the extent of taser use across the Yukon and make the results of such investigation publicly known?

Hon. Ms. Horne: I have just said we will follow the recommendations of the ministers across Canada from their investigations that will take place in January.

Yukon will monitor the reviews and recommendations. We will give the deputy ministers time to do their work and submit their findings and recommendations to the ministers across Canada.

Question re: Uranium mining

Mr. Edzerza: I have a simple direct question for the Acting Minister of Environment. I hope he will have a simple and direct answer.

Will the acting minister make a commitment to ensure the Yukon's environment is not jeopardized by allowing uranium exploration or development to take place in the territory?

Hon. Mr. Kenyon: I'm sure what generates the question is that Cash Minerals is seeking authorization to make better use of the Wind River Trail to resupply its mineral exploration program in the Wernecke Mountains. This proposal is now, as it properly should be, in the YESAA process, in which Yukon people and organizations, like the Wilderness Tourism Association, and others are welcome to comment. That is currently in front of the YESA Board and we have every confidence that they will give us good advice on that.

Mr. Edzerza: If the minister really spent less time chasing investments from the country with the worst pollution record in the world, he might understand his role as the acting minister a little bit better. Let me try again.

Cash Minerals wants to build nearly 300 kilometres of winter road in the Wind River area to access four parcels of land for uranium exploration. The environmental hazards from uranium mining can last as long as 100,000 years, yet this government has no policy on uranium mining or how to prevent an environmental disaster. It hasn't even asked Yukon people if they approve of uranium mining in the territory.

Will the Acting Minister of Environment support a moratorium on any uranium exploration or development until Yukon people have an opportunity to make an informed decision about whether or not uranium mining should be permitted in the territory?

Hon. Mr. Kenyon: For the member opposite, there are actually six mineral exploration companies actively exploring 12 different uranium properties in Yukon. The main areas of interest for uranium, of course, are in the Wernecke and Ogilvie mountains, north of Mayo. It's expected that uranium exploration expenditures in 2007 will be in excess of $20 million.

Yukon's mineral regime does not distinguish one mineral from another in terms of exploration or permitting. However, we do recognize that uranium exploration may require unique terms and conditions, and we are examining practices in other jurisdictions, Saskatchewan being one of them. Uranium exploration is occurring in many jurisdictions across Canada, and as I've said before for the member opposite, the matter is currently before the YESA Board, and we anxiously await their findings.

Mr. Edzerza: Well, Mr. Speaker, the more increased activity, the more reason for concern. Mr. Speaker, let me be blunt. Uranium plays havoc with the environment. It kills people, and it kills wildlife. That's why other Canadian jurisdictions, including British Columbia, have moratoriums on uranium mining. That's why an Ontario woman has put her life on the line in a hunger strike that is now on its 41st day. That's why Algonquin protestors paddled to Ottawa in September to try to stop a uranium drilling project on the shore of Sharbot Lake. That's why the Yukon Medical Association has unanimously called for a review of the health, environmental and social impacts of uranium mining in the Yukon.

Will the Minister of Health and Social Services pay attention to the doctors' concerns and persuade his Cabinet colleagues that uranium exploration and mining are just too risky to allow in the Yukon at this time?

Hon. Mr. Kenyon: Uranium exploration is occurring in many jurisdictions across Canada. At present, contrary to what the member has just erroneously put on record, Nova Scotia is the only jurisdiction that prohibits uranium exploration and development, not British Columbia. Uranium is, again, something that supports a lot of industries. It supports the possibility of nuclear generation of power -- something that even many environmental groups are now looking at as an extremely beneficial alternative to coal generation, et cetera, et cetera, et cetera.

For the member opposite, the investment coming from other jurisdictions into the Yukon are subject to all Yukon environmental laws, regardless of the source of that. I again have to point out that the Leader of the Third Party, on November 13, complained about an investment for what he referred to as "affluent travellers". He objected to that quite strongly and pointed out, and I quote, "But to indicate that the rich need subsidizing kind of goes against my grain." This morning, the president of the Wilderness Tourism Association was quoted on radio as saying that some of the trips into these areas are close to $5,000. So I guess that there is a line where we talk about affluent travellers and where they —

Speaker: Thank you.

Question re: Government office space

Mr. Cardiff: Mr. Speaker, in February the Auditor General of Canada reported on how the Property Management Agency deals with office and warehouse space. She found that there was no overall strategy for acquiring office space and no adequate cost-benefit analysis to support decisions to lease, buy or build. The report criticized the government's reliance on sole-source leases as well. In fact, the report said, "In our view, the department's frequent use of this provision does not ensure that the Government of Yukon is achieving value for money." What steps has the minister taken since that report came out to ensure that Yukon taxpayers are getting value for their money in property management decisions?

Hon. Mr. Lang: We certainly as a government took that report very seriously. We've commissioned a report, a study, an overview of space needed -- identifying the space that we have and the values. I'm looking forward to having that overview in the new year so we can go to work and better manage the properties that exist today and, if we are to expand, how we would expand.

Mr. Cardiff: So the ministers are still studying the report that came out in February.

Mr. Speaker, the Government of Yukon currently has office space in 17 buildings that it owns as well as 31 leased buildings. In the 2006-07 fiscal year the Property Management Agency gave out almost $56 million in 100 sole-source contracts to landlords, including a $10-million contract for a 10-year lease on Burns Road.

In response to the Auditor General's findings last February, the minister's department said it would develop an overall strategy called a master space plan to guide the government's approach to accommodation needs. The department said that the plan would be completed by this September. It is now the end of November. Will the minister table the master space plan or is it another government project that is dragging on past its deadline?

Hon. Mr. Lang: In addressing the member opposite, when we acquired government in 2002, we were very concerned about the 10-year lease that was signed by the Liberal government of the day. One of our first steps was to limit any leases to three years.

As far as the space study goes, I will hopefully have it out in the new year and then we can go to work on it. We are concerned with how government manages the space that is allotted and also the balance between departments and where space is needed. Certainly, we do not and will not condone what the Liberal government of the day did in signing a 10-year open lease on a building.

That, again, was one of the red flags that was raised when we first took government and we had to look at this seriously.

Mr. Cardiff: The minister and this government cannot continue to lay blame for things that took place five years ago. They've had more than enough time to adequately fix the problems that were created back then.

If and when the master space plan does get completed, we hope it is going to be a change from the ad hoc policy-making that the public is used to seeing from this government. Obviously, fiscal responsibility must be a major consideration, as the Auditor General pointed out. However, there are other factors to consider, including the questions about environmental responsibility. Property management is one key area where the government could show leadership on this crucial issue of climate change.

Will the minister give his assurance that all future decisions on space this government builds, owns, or leases from the private sector will include best practices around energy efficiency, conservation and green technology?

Hon. Mr. Lang: The member opposite talks about the government of the day looking backwards, but when the government signed 10-year leases, there are 10 years to talk about the lease. We did not approve that lease, nor were we part of it. When the master plan is ready, it will be public information and we're going to work with that master plan.

Question re: Education reform

Mr. Fairclough: I have a question for the Minister of Education. It has now been two months since the education reform project team handed in their report. The technical review should have been completed a month ago, yet this government has not tabled the report. It's unfortunate that the government chooses to study issues and then sit on reports. The public wants to see the report. They deserve to know what the recommendations are and they deserve an opportunity to respond to them.

When is the minister going to table the education reform final report?

Hon. Mr. Rouble: It's my honour and pleasure to rise in the Assembly today and answer the member opposite's question and speak to this very important issue on education here in the territory. As all members are aware, the education reform project is a joint YTG-Council of Yukon First Nations project --

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: Members opposite are commenting in the background here. It's unfortunate they don't always listen to the answers because they answer the questions that are asked.

It's a joint project between the Council of Yukon First Nations and the territorial government. We're working very closely with our partners on this project. We will not circumvent the arrangement -- the agreement -- between the partners, even if the members of the opposition ask us to do that.

Mr. Fairclough: In other words, the minister doesn't know when he will be able to table that report.

Now, the government recently indicated that they were going to tender a contract to study secondary programs in the Yukon. Why is this being done prior to the release of the report, prior to the public having an opportunity to read the report and prior to the public having an opportunity for input?

This department has a long history of doing things in isolation. This is clearly not the message this minister needs to be sending to the people of the Yukon. Where is the consultation? Will the minister put a hold on the proposed study until the report is released and all stakeholders have an opportunity to respond to its recommendations?

Hon. Mr. Rouble: In the same breath, the member opposite said the government doesn't consult, and then asks the government to stop the consultation. I think Yukoners are as confused as the rest of us by some of the comments coming from the opposition.

It was clear from the school facilities use study that was prepared this past spring that a recommendation was put forward that said to review the program directions of F.H. Collins Secondary School and prepare a vision for the future.

That's exactly what we are doing now. A request for proposals has been released. We are looking at involving all our stakeholders and partners in education in preparing a vision of what Whitehorse high schools should look like so that we can build the best one for Yukoners for generations to come.

We are going to do that with the input. We have been listening. We have been listening to the Copper Ridge advisory group. They are the ones who were part of the document that created the recommendations we are following.

Mr. Fairclough: I would encourage the minister to read *Hansard*. There is no confusion on our part, Mr. Speaker.

It appears that the department intends to cherry-pick and initiate many of the report's recommendations prior to its release. When the report is released -- I suspect that might be after the House recesses -- the minister will simply say the department is already doing most of this. Well, Mr. Speaker, education is far too important to allow this government to use it as a political football.

The mandate of the education reform project was to increase the involvement of First Nations in schools and in the decision-making process regarding education in the Yukon. In spite of that, the Department of Education is tendering for a contract to study the programming needs of secondary schools. What consultation took place with First Nations prior to issuing this tender?

Hon. Mr. Rouble: When the member opposite asks about consultation with some of our partners in education -- I could talk about the meetings with the Chiefs Committee on Education; I could talk about the First Nation program and partnership unit; I could talk about the First Nation Education Advisory Committee and their regular meetings; I could talk about one of the meetings I was at about two weeks ago where we discussed with First Nation representatives from across the territory the issues and concerns that were important throughout the territory.

For some reason, the member opposite is confused about the different reports that are out there. The school facilities study is available on-line. If the member would like to go to the Department of Education's Web site, he can find it. On page 2 of the executive summary, the first key recommendation is to review the program directions of F.H. Collins Secondary and prepare a vision for the future.

We're going to go to work with our partners in education, with First Nations, with the francophone community, with other groups throughout the territory, and prepare the best vision for the future of Yukon high school students for now and for generations to come.

Question re: Education reform

Mr. Fairclough: I have a question for the same minister. The education reform project draft final report lays out a new model for governance. The new structure proposed is intended to be a bottom-up participatory model that is open to input from a broad range of groups and individuals. It is meant to make the system more effective, more inclusive and more responsive to the concerns of all.

The minister is proceeding as if this report does not exist, Mr. Speaker. Why does the minister not release the report and consult before taking any steps toward making changes?

Hon. Mr. Rouble: Well, Mr. Speaker, one of the things that I will always do is work progressively with all our partners in education to create a better education system. Mr. Speaker, what I will not do is break an agreement with the Council of Yukon First Nations and unilaterally release a report, even if the member opposite wants me to. I will not break that agreement.

Now, Mr. Speaker, we are going to work with all our stakeholders and partners in education, including the teachers, the school administrators, the Association of School Councils, Boards and Committees, our different school councils and committees throughout the territory, our parents and our teachers. It's important to involve Yukoners in the education of our youth. We've done that, and we're going to continue to do that.

Mr. Fairclough: What the minister likes to do is break his commitment to Yukoners and make changes before the report is even tabled.

Some Hon. Member: Point of order, Mr. Speaker.

Point of order

Speaker: On a point of order, go ahead.

Hon. Mr. Rouble: Mr. Speaker, I think it is entirely inappropriate and insulting for a member to stand up and say that I have broken my agreement with Yukoners. I find that personally offensive, and would ask that the member retract that totally false statement.

Speaker: On the point of order.

Mr. McRobb: On the point of order, Mr. Speaker, to specifically identify a broken commitment does not break the House rules. It's merely part of the accountability chain. I could understand why the minister might be insulted though.

Speaker's ruling

Speaker: From the Chair's perspective, there is a point of order. Now, what is happening is the debate is deteriorating into personal comments. I've allowed a fair amount of flexibility here today, and if you do not want me involved in this debate, ladies and gentlemen, do not do that. So there is a point of order, and I believe you have the floor, Member for Mayo-Tatchun.

Mr. Fairclough: The education reform project report is very clear on First Nation curriculum. I quote from the draft of the final report, "All stakeholders must be willing participants in the development of new curriculum, especially First Nation language and cultural programs." Now, Mr. Speaker, this is intrinsic to any partnership between Yukoners and this department. Why does the minister not connect the dots? The education reform project report -- once consultations are completed -- must drive the educational agenda. Government is a servant to the people, not the other way around. Why is the minister's department proceeding with a curriculum review and ignoring the fundamental components of that report?

Hon. Mr. Rouble: Mr. Speaker, I'd just like to let the member opposite know that the Department of Education is working very closely with the First Nation Education Advisory Committee. This is a committee that is made up of educational leaders from First Nations throughout the territory. The First Nation Education Advisory Committee works very closely with the First Nation programming and partnership unit, a division in the Department of Education. They work also in conjunction with another group that is called the curriculum development committee. One of their recent successes in this, Mr. Speaker, is the grade 5 Yukon First Nation modules on governance, clans, language and citizenship.

Mr. Speaker, I've said before, reforming education will be one of those things that will go on until the end of time. We will always be making changes in order to serve our students better. The territorial government has made a commitment to work with First Nation people, and we are certainly doing that. The First Nation Education Advisory Committee is proof of how our relationship is working and how Yukon students are benefiting.

Mr. Fairclough: A recommendation from the education reform project draft final report says, "The Department of

Education, in conjunction with First Nation governments, should evaluate the existing curriculum in order to determine how best to incorporate First Nation curriculum." The minister has chosen to ignore yet another recommendation. What is new?

Has the Yukon Chiefs Committee on Education been consulted on any of the department's new initiatives and has the chiefs committee been consulted on the terms of reference for this proposed study?

Hon. Mr. Rouble: When we started the education reform project, one of the recognitions right from the beginning was that there was not an expectation that the department would remain stagnant. That is to say there was not an expectation that no changes would be made. The Department of Education has been very responsive to the needs in the community and the needs of the children in the school. We have created additional working groups in the Department of Education. We have created additional outside external working groups, and we are working very collaboratively to prioritize many of the issues that the Department of Education should look at. One of the very key issues is that of curriculum design.

I am glad to say there have been recent introductions of programming and curriculum. We are not going to wait for a final, final, final, final, final until the department makes the right move.

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: No, Mr. Speaker, it is not how long it takes. The Department of Education is always going to be working in a responsive manner to address the needs of our children, including children of First Nation ancestry.

Speaker: The time for Question Period has now elapsed.

Notice of government private members' business

Hon. Mr. Cathers: Pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of the government private members to be called for debate on Wednesday, November 21, 2007. They are Motion No. 240, standing in the name of the Member for Klondike, and Motion No. 173, standing in the name of the Member for Klondike.

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

ORDERS OF THE DAY

Hon. Mr. Cathers: I move that the Speaker do now leave the Chair and 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. The matter before the Committee is Bill No. 8, *Second Appropriation Act, 2007-08*, Department of Energy, Mines and Resources.

Is it the wish of the members to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 8 -- *Second Appropriation Act, 2007-08* -- continued

Department of Energy, Mines and Resources

Chair: The matter before the Committee is Bill No. 8, *Second Appropriation Act, 2007-08*, Department of Energy, Mines and Resources. We will proceed with general debate.

Hon. Mr. Lang: I am pleased to introduce the 2007-08 supplementary estimates for the Department of Energy, Mines and Resources. Yukon's resource economy has been rekindled and is growing stronger. Energy, Mines and Resources has been working hard to manage and support this development of our natural resources in partnership with Yukon people and industry. The Sherwood mine at Minto, Yukon's first hard rock mine in 10 years, is now in full production. The oil and gas industry has demonstrated interest in Yukon's hydrocarbon potential. Forest management plans, which will provide for an annual allowable cut, have been and are being developed in partnership with First Nations, and a new regime for the placer mining industry will be in place for this spring, the year 2008.

The Department of Energy, Mines and Resources requests $1,971,000 for the 2007-08 supplementary estimates. Of this request, a total of $1.547 million is for operation and maintenance, and $424,000 is for capital. Within this operation and maintenance supplementary estimate, there is $843,000 to meet our obligations under the new collective agreement.

The department has the following revotes: $150,000 for work to complete the Yukon placer regime. In particular, that's to ensure that consultation with all the parties involved is complete so the new regime can be implemented in the spring of 2008. There is $699,000 for additional reclamation and closure work at type 2 mine sites. This money is fully recoverable from Canada.

There is a reduction of $145,000 for the Energy Solutions Centre. The Energy Solutions Centre is a service and program delivery agency for federal and Yukon government programs relating to energy efficiency and renewable energy. This reduction reflects the current level of funding available from NRCan for this program.

Within this capital supplementary estimate, Energy, Mines and Resources has the following revotes: there's $50,000 for northern strategy funding to support capacity building through a joint land development project with the Teslin Tlingit Council. The Teslin Tlingit Council and the Yukon government are

jointly working toward the development of recreational and rural residential land in the Teslin area. Nineteen recreation lots are proposed for development at Little Teslin Lake on both Teslin Tlingit Council and Yukon government lands.

There is $67,000 for forest inventory work that is fully recoverable from Canada under the *Devolution Transfer Agreement*. These funds will be used to complete forest fire updates in the current forest inventory. There is $160,000 for engineering, forest access roads in the Dawson area, Teslin area and southeast Yukon. This is work based on existing forest management plans that were developed with local renewable resource councils, First Nations and, of course, public input. Roads completed in southern Yukon, the Fox Lake fuel wood area and the Coal Creek harvest area in southwest Yukon assist in making wood available for this winter.

There is $65,000 for silviculture assessment and seedling growth. There were 850 harvest boxes in southeast Yukon assessed to see if any reforestation activities will be required and when they should be scheduled. There is $71,000 for the completion of the hydro lines to the agriculture lot developed near Haines Junction. There is $11,000 for collective agreement increases funding through capital programs. This supplementary budget will continue to assist the government in achieving a prosperous and diversified Yukon economy.

Mr. McRobb: It's a pleasure to have this opportunity to speak to the Energy, Mines and Resources department and as far as the supplementary estimates are concerned. I would first like to extend congratulations on behalf of the Official Opposition to all the hard-working employees in this department. As we know, the department is rather extensive, covering areas from our resources, lands, minerals, forests and water, to agriculture, to energy policy, forestry issues and so on. It's quite a wide array of different issues, all enveloped in this one department.

I do have some areas I wish to question the minister on. The first area is in response to his claim that this government has rekindled the resource economy in the territory. I would like to rebut that for a moment, if I may. It has been long recognized that the precursor to any activity in the resource sector is highly dependent on commodity prices. The minister is referring specifically to mining and perhaps the oil and gas sector. If we look at global prices for metals -- I wish I had some charts here in front of me as they're easy to access -- and if we look at the price of copper, for instance. It has risen exponentially in price in the last few years.

If you look at the price of molybdenum or moly, it has risen exponentially in recent years. So has the price of uranium. It has risen exponentially in recent years. Of course, there has been a huge increase in the price of gold, as I'm sure you recognize, Mr. Chair, because it's so important to your riding of the Klondike with respect to all the placer miners. I would remind you that the Klondike does not have a monopoly on placer miners. In Kluane, for instance, there are several placer miners carrying out activities, and there have been for years.

I just want to make the point that global metal prices are instrumental to the success of the resource sector, and that is the main reason -- head and shoulders above any other -- explaining the activity in recent years with respect to mining and oil and gas exploration.

I want to briefly touch on the forestry issue. I recall a headline in one of the local papers when the minister was first elected. There was a big headline on the front page, by the way, and he declared, "Forestry would thrive by 2005". That's what he said.

I also heard what he said the other day in this Legislature, that he's working to rebuild the forestry industry. Do you see the difference there, Mr. Chair? One grand pronouncement and then, five years later, he's only working to rebuild it.

Perhaps the minister could have rightfully said from the outset something to the effect of it taking five years to get around to forestry, because that would have been more accurate.

I know the minister will point to various planning undertakings in recent years. Certainly the *Champagne and Aishihik Strategic Forest Management Plan* is one of those, and I would like to congratulate all participants in that process. But I am hearing a lot of concerns about forestry issues in my riding. I'm sure that if I travelled around the Yukon, I would hear similar concerns in other areas as well. I think the minister should explain to this House what some of those problems are.

Let's talk about land development -- something else the minister mentioned. There have been a lot of land issues lately. Probably the most prominent land issue is the lack of fully serviced residential lots in and around the City of Whitehorse. The minister pulls these numbers out of the air from years past and tries to blame it on the previous Liberal administration. Fortunately we have rebutted that allegation quite successfully by pointing out that the previous Liberal government did ensure there were a number of lots developed for residential homeowners in and around Whitehorse.

Despite the Yukon Party's promise in 2002 that it would ensure a continuous supply of such lots, this government tripped up. Whitehorse has run out of fully serviced residential lots for sale from the government. It has run out. So, there was no continuous supply, as promised.

When I asked the minister last spring about certain developments, he had no idea. This has brought us to the current state of escalated real estate values in our capital city, bringing prices out of reach for a lot of first-time home buyers, for senior citizens wishing to move into a house. It has increased the burden on them. It has led to escalated rental rates within our city. It has forced people not to change their plans to move to Whitehorse to work here. You can talk to any real estate agent and hear about this. There have been lots of inquiries about houses to buy in the local market from people interested in coming to the Yukon to work. They haven't been able to find a suitable premise within their price range or any premise at all in some cases. This has led to them declining a job opportunity to work here. Currently, that connects directly to one of the most prominent issues in our retail sector right now and that's finding employees to fill vacant job positions. In fact, it's still quite a major issue with the Yukon government itself. So, the government has been instrumental in bringing about this prob-

lem, which affects it as well. I wish the minister would do something about this.

One development I queried him about in the spring was the tank farm issue. He just shrugged his shoulders and pointed a finger at the federal government, and that was despite having one of the developers present in the gallery who certainly had a different story to tell. I think the minister has a lot of explaining to do about his lack of progress with respect to land development.

Another issue that's related and something that I recently picked up is with respect to land development at Marsh Lake. Now, I understand the local advisory council is undertaking a land use planning process in that community, and it's largely brought about because of rapid development, especially unplanned rapid development, in the Marsh Lake area. One of the concerns identified is the threat of wildfire.

If we look back to the Embers report that was commissioned and released a few years ago, it clearly identified Marsh Lake as a high-risk area for development in the case of an uncontrolled fire in that area. Now, as I understand it, the minister is directing land applicants to go find land in the Marsh Lake area. That raises some concerns, not only because it could worsen the fire toll in the event of a disaster, but it's also very disrespectful to the land use process that is currently ongoing, and it ignores the concerns of all the existing residents in that area. So again, the minister has some explaining to do.

If we look in some of the other areas of responsibility for this minister -- energy policy, for instance -- back in the spring the minister promised this policy development would start, I believe it was in early September. Well, here we are. It's November 20, and today is the first of a two-day workshop. Well, finally, at least the minister got around to doing it. And by the way, Mr. Chair, there are some questions about this energy policy development that the minister has drafted up that is currently being executed, but we'll save those for another day.

There are all kinds of other energy related issues and some of them are not new to this Legislature. I recall a motion on climate change in the spring where we in the Official Opposition took a very constructive and proactive stance by identifying a number of possible solutions the government should consider to undertake the battle against climate change. One of them was to approve energy efficiency in buildings and for residences.

Some of that was addressed by the Yukon Housing Corporation following the conclusion of the spring sitting, and my congratulations go to those officials in the Yukon Housing Corporation for rolling out those programs, which also included some expansion to previous programs, because that is exactly what we were requesting -- at least part of what we were requesting.

There is much more that can be done. The minister is simply asleep at the switch.

Some Hon. Member: (Inaudible)

Mr. McRobb: Well, he thinks that is funny. He thinks that is funny, Mr. Chair.

Some Hon. Member: (Inaudible)

Chair: Mr. McRobb has the floor.

Mr. McRobb: Thank you, Mr. Chair. That is reassuring.

There are a number of other areas that should be looked at in terms of energy policy, climate change, energy efficiency and so on. Some of the ones I recall off the top are district heating in several Yukon communities. One example I gave was the diesel generator in Beaver Creek that is situated half a block from the school and how the waste heat could be piped to the school to displace the oil furnace. Well, it is pretty much a no-brainer to connect that.

The Member for McIntyre-Takhini said it's too sensible. I would argue it is a very sensible undertaking and should be done. Believe me, I would have pursued that had it not been for the change in government back on April 17, 2000.

There are several communities. I'm most familiar with the communities in my riding, and virtually every community has a district heating project on the books that could be implemented. There are also other communities across the Yukon -- certainly in Whitehorse there is a large potential, and there has been some talk of this in the new subdivision being planned for the lower bench in Porter Creek.

The government could introduce a program to assist developers and communities to undertake community energy management projects, such as district heating. Instead, we've heard nothing, and that's a shame. It's a lost opportunity. What do we have to do? Get Arnold Schwarzenegger up here to talk to the minister? Maybe. He needs to be strong-armed a little bit. He needs to be strong-armed into realizing that these projects make sense and the public has an appetite for government to pursue these very types of projects.

But again, the minister is asleep at the switch. Maybe we need a switch over there. Maybe we need a reassignment of portfolios.

Chair's statement

Chair: I'd like to remind all members not to personalize debate. Mr. McRobb, you do have the floor.

Mr. McRobb: All right; I was just having a good time. Having a good time is not allowed in here. I should have realized that.

I'm not going to expand on all the different areas. I refer the minister to *Hansard* on the climate change motion we tabled last spring, because a number of initiatives and potential developments were identified at that time. It's really unfortunate we haven't heard a progress report on any of those items -- nothing.

So it makes us wonder what the minister has been up to.

You know, there are other big issues that fall within the domain of this minister, such as the Alaska Highway gas pipeline project. We've heard nothing on this -- okay, it's a proposed project. We've heard nothing on this for more than a year now. We know there are some rather significant developments that are occurring in Alaska. I would invite the minister to bring those issues to the House on occasion through a mechanism such as a ministerial statement, which precedes the Question Period each day, so we can be more informed about what is going on because these are serious issues that have ramifica-

tions for the whole territory. It would give us an opportunity to discover what the minister has been up to, if anything, and to help us be reassured the minister himself is aware of what's going on. In addition, it allows us an opportunity to comment on these subject matters. So I would invite him to consider bringing in more ministerial statements to deal with these very important areas.

Oil and gas leases that have been issued recently -- we've heard nothing from the minister on those. We've heard about the federal disaster relief for the spruce bark beetle infestation, but we've heard nothing from the minister. So there's a real failure when it comes to reporting on these issues that are so important to all Yukoners and that fall within the minister's purview.

I've given the minister a lot of food for thought. I would like to hear his response to these concerns I've put on the record.

Hon. Mr. Lang: In answering the member opposite this afternoon, again the Liberals are leading from behind. The department is doing its job, with the capable hands that work in the department. I noticed that he recognized those individuals, and I appreciate that, because the individuals do work hard and have created an economy in the territory.

The member opposite went off on some kind of a tangent about the government of the day having nothing to do with the exploration or the growth in exploration over the last five years. I'd like to put this on the record: the fact is that when this government took over, the dollar value of exploration, of course, was way down. It was at $6 million, or roughly that. We only have to walk downtown to see the resources that are being spent in the territory today. The member opposite insinuates that somehow this would have happened anyway with the world price of copper, per se. But I remind the member opposite -- and the Minister of Economic Development has also reminded them -- that that's a world price, the world price of copper. They can mine copper in Zimbabwe or they can mine copper in the Yukon.

Now, when we took office in 2002, there certainly was a dip in the price of minerals. Also the facts were that we as a jurisdiction -- the choice of investing investors' money out of 100-and-some jurisdictions in the world, 124 or whatever the magic figure is -- we're about 65 to 70. In the last three years, we took that figure -- and I thank the department and, of course, the good work of the department -- and, three years ago, we were 21. In other words, we improved our situation from an investment point of view from where we started to be 21 out of the 65 jurisdictions in the world that we compete with on a daily, monthly, yearly basis, for that invested dollar.

Now, we are 11th in the world. We have done our work, and the department has done a fine job of creating an investment climate that obviously is working. When the Liberals were in, that investment climate wasn't here. That investment climate wasn't a preferred area.

What we've done to try to improve our situation is take a critical look at ourselves as a territory and our closest competitors, which would be British Columbia, Northwest Territories and Nunavut.

If you were to look at a breakdown of those figures, which, again, is interesting -- out of the four jurisdictions, on the policy potential index, we score 21; B.C. is 30; Northwest Territories is 41, and Nunavut is 39. Again, we lead the pack on that line. It's very interesting, Mr. Chair.

Concerning the administration, interpretation and enforcement of existing regulations -- what did we do to that? We are number four; B.C. is 13; Northwest Territories is 16, and Nunavut is 10. Again, the department has done an amazing job with the mining community to put those figures together.

These figures are very important. That's how we monitor how we are doing compared to other jurisdictions.

Some Hon. Member: (Inaudible)

Hon. Mr. Lang: I know the Member for McIntyre-Takhini is very interested in this, and I appreciate that, Mr. Chair.

Here is another one. It's interesting, because these are facts. The member opposite talked about mining and said that the reason the Liberals, when they were in office, didn't have the mining climate that other jurisdictions had was because of the price of metal. But it's not just the price of metal, Mr. Chair.

It is the investment climate. It is the investment climate and that is where we as a government -- and again he compliments these members that work in the department. He goes on and on about them and then he looks at the minister and, of course, the minister is responsible to work with the department to create these figures.

Look at the labour relations employment agreements. We're light-years ahead of B.C. -- 23 to 36. Northwest Territories -- 24. Nunavut -- 33.

Geological database -- very important work. We invested our money on the ground, in partnership with Canada, the federation. How did the industry look at us on that level? Number 12. Of course, B.C. is 10, so they are two points ahead of us. Northwest Territories is 13, and Nunavut is 17.

Social economic agreements, Mr. Speaker, are very important for the investors. How do we stand there? Well, we're number 19, Mr. Chair, B.C. is 34, Northwest Territories is 55, and Nunavut is 40. Mr. Chair, where would you invest your money?

Political stability is very important for the member opposite, Mr. Chair. What government is going to be in power tomorrow? Can the investor be guaranteed that that government will honour the agreements and work that has been done by prior governments? By the way, Mr. Chair, we were the prior government so we scored 23, Mr. Chair. B.C. is 36, Northwest Territories is 33, and Nunavut is 24. These are all figures and these are facts, Mr. Chair.

The current mineral potential -- what is the potential in the territory for those investors? Now that we've covered the political certainty and the socio-economic agenda, how can that investor be guaranteed of the mineral potential? Well, here we go, Mr. Chair. These figures don't lie. Number 14 for the Yukon Territory; B.C. is 28; 26 for Northwest Territories; 24 for Nunavut. Can you believe the improvement of those kinds of figures that come out of the hard work the department has done? Again, I compliment the department for a job well done.

I'm certainly concerned about which areas will be protected as wilderness parks. We went to work after devolution and, working with Environment and Yukoners, we've worked on the parks and we've worked on special habitat areas. Our figures -- these are not our figures, they're investors' figures -- number 19 for the Yukon Territory; 52 in B.C.-- there are a lot of questions in B.C. Northwest Territories is 58; Nunavut is 54. Well, Mr. Chair, I ask you again: from the investors' point of view, where would you invest your dollar?

Some Hon. Member: (Inaudible)

Hon. Mr. Lang: You're right. Thank you to the Member for McIntyre-Takhini for that.

I'm concerned about native land claims, which is another important thing that we've been working on in partnership with Yukon First Nations. Having to settle land claims that we have in place adds certainty for investors. The Yukon leads the pack for investors -- 24. B.C., with its questions on native land claims, is 59 -- a lot of work to be done in B.C. Northwest Territories is 57, and Nunavut is 52.

On environmental regulations, we've done work on the regulatory side in conjunction with Yukoners, First Nations and investors -- mining companies. We score a high 15.

I know the figures impress the members opposite, but these figures don't mean we stop work, put down the tools, that we're comfortable with these figures. Next year I'll be standing up, reading these figures off, and we will have a progress statement on how we stand, where we're moving ahead and where our weak points are. We're not a perfect jurisdiction; that's why the government and the Department of Energy, Mines and Resources work on a daily basis to improve that.

On infrastructure, we're number 39; B.C. has more infrastructure -- road systems and things like that, and they're 22; Northwest Territories is 49 and Nunavut is 54 -- understanding that the infrastructure in Nunavut is not comparable to northern Canada or B.C. because it's very remote.

On policy and mineral potential, assuming current regulations and land use restrictions in place, another important line for us to be aware of, we scored 14; B.C. was 28; Northwest Territories was 26 and Nunavut was 24.

As I go through this list and talk about whether the investors are comfortable in the territory and whether it's just the mineral wealth we have -- we certainly wouldn't have need for these figures if there was no mineral potential here -- but what we're talking about here, and what the member opposite was alluding to, is this government had nothing to do with the investment climate in the Yukon over the last five years.

These figures I put on record today show that over the last five years this government, with this department, has done a stellar job to bring these figures into place.

So that again will address the member opposite's questions on the mining potential and also the mining that exists here in the territory. Of course, it does moot the point he brings up many times -- that somehow the minister is asleep at the switch. How can the minister produce these kinds of figures, Mr. Chair, in this House today if the department and I were asleep at the switch? So the proof is in the facts, and the facts are that we're improving on a yearly basis -- just the fact that we took ourselves from those impressive figures, from number 21 in the world for investors to 11 in a very short window of time. So those figures are figures that don't lie. They're done by an independent group, and I look forward to next year's tally. Certainly, we'll be working with industry and Yukoners to see how we can improve the figures and create the employment and the opportunities that this industry brings to our small jurisdiction.

The member opposite talked about the employment issue. We as a government understand that when we jumpstarted the economy in 2002, when the last government's economy was based on U-Haul -- the U-Haul trade, where most of the industry was backhauling out of the territory and our children didn't have opportunities to come back to the Yukon after we educated them to get employment. We understood that that was a dilemma and that dilemma would be answered on many levels. One of the levels was how we create a mining industry that will be sustainable and that will create the employment necessary for Yukoners, Canadians and, of course, most importantly, that our youth, the ones we educated in the territory, have an opportunity to work in the territory. So we went to work with that and, of course, as the member's conversation concerned the employment issue -- and certainly it's out there.

We'll be able to talk to the Minister of Education in the next couple of days, and he can give you some very good statistics of what this government has done to work with our college and work in our high schools to interest our young people in staying in the Yukon and showing them an opportunity.

I have some interesting statistics, and this is a bit of an aside, but it's interesting to see that our vocational programs that we as a government jumpstarted -- they didn't exist, by the way, under the Liberal government -- are fully subscribed to, Mr. Chair. Today, we are training our own workforce. Is that going to fill the void for all the jobs? Well, no, but we have to encourage people to move to the Yukon. We have a wonderful lifestyle up here, and I think there is an opportunity for people to move to the territory. We as a government compete to try to get people, first of all, to come home after they've been trained. We also work with other Canadians to encourage them to test the waters in the territory for an opportunity for their families to live and prosper.

That would cover most of the mining concerns. I know the member opposite is very, very interested in the mining community. I hope that with these statistics that I gave him today, he can hone his questions and direct them to the mining issue, and certainly get his head around the fact that these statistics are done by an independent individual. It's not just world metal prices that dictate mining in any set jurisdiction. It has a lot to do with these figures and investors.

Where do investors feel safe investing their money? Well, in three years, we went from 21 to 11. So, now, we are the hotspot in Canada in investment climate and mining opportunities in Canada. That has been done under this government's watch, and I will say to you that I will take the credit for becoming the hotspot in Canada, for not only this government and me, but for that hard-working department that works daily to make sure we address the issues that investors out there have, and they them-

selves have worked toward getting us into a position where we can call ourselves the hotspot.

Certainly the figures I reported today show an upswing not only in the mining potential of the territory, but in the investment climate. So we have looked at a very positive next four years, Mr. Chair, and I look forward to working with industry and Yukoners to make sure that we address issues we have. Certainly, Mr. Chair, there will be issues.

As far as addressing those issues, I would say to the members opposite that the government is in a good position to do that. We put reclamation regulations in place to protect ourselves from any indiscriminate environmental issues that could be created by this industry and we certainly look forward to moving forward in forestry, oil and gas, and the other portfolio that I oversee on a daily basis here for the territory and for the Yukon people, Mr. Chair.

Chair's statement

Chair: Order please. Before we continue with general debate, I'd like to remind members of the House not to interject the Chair into the debate. We'll proceed with general debate. Is there any further general debate?

Hon. Mr. Cathers: It is quite common that the members of the third party have questions. Of course, it is the Chair's prerogative. The Chair recognizes --

Chair: Order please. Mr. Cathers, are you rising on a point of order or would you like to debate?

Hon. Mr. Cathers: No, I was not rising on a point of order. I was simply providing comments in general debate to provide members of the third party the opportunity to prepare to ask questions on this, should they indeed wish to do so.

Chair: Is there any further general debate?

Hon. Mr. Cathers: I am rising in general debate and I would like to thank the Minister of Energy, Mines and Resources for his comments and for the hard work that his officials do on a daily basis.

We all appreciate the work that the Minister of Energy, Mines and Resources and his officials have done in the past number of years to improve the Yukon's economy.

Some Hon. Member: (Inaudible)

Hon. Mr. Cathers: Mr. Chair, do I have the floor or does the Member for Kluane?

Some Hon. Member: (Inaudible)

Hon. Mr. Cathers: Thank you, Mr. Chair.

Considering the hard work the minister and his officials have done, the Yukon's economy has seen far more economic investment and mining exploration than down in the single digits under the previous Liberal government. It has now rebounded significantly to a current level of over $100 million in mining exploration. That being the case, Mr. Chair, I see the third party critic appears to be prepared to engage in questions and I look forward to further debate.

Mr. Edzerza: To start out, there were some questions asked in Question Period today and, quite frankly, we feel the Minister of Environment really downplayed the seriousness of uranium mining in the Yukon. So we will ask the Minister of Energy, Mines and Resources what he as minister feels about the seriousness of uranium mining and whether or not he really has a concern or if he feels like his other colleagues -- that the dollar value is more important than being concerned about the general health, or destruction of the pristine environment versus money. Is money more important?

One has to ask oneself how far one is willing to go with regard to destroying the environment for the sake of a job, per se.

We all know that it's important to have economic development. We all know that society is conditioned to have to earn a living by working somewhere. However, in some cases, we believe that the government really has to get serious about some types of mining. I'd like to ask the minister what this government's policy is on uranium exploration and development? Is there a written policy and will the minister provide it by tomorrow, if there is such a thing?

Hon. Mr. Lang: In addressing the member opposite, we treat uranium mining in the territory as exploration. It's mining exploration. We also understand the seriousness of uranium mining, if it ever got to uranium mining. All we're talking about now is exploration and we would address it as we moved forward. As far as other jurisdictions in Canada, the largest uranium producer in Canada of course is Saskatchewan. It actually produces 30 percent of the total world production of uranium. It's the largest individual producer of uranium in the world -- 30 percent of the world's product.

What we're looking at here is an exploration of a product. Uranium is not only under the exploration umbrella, but the federal government regulates it at the point it moves forward from exploration to development and production. So those things are all covered. I feel confident as the minister. I get my recommendations from the department that we are handling the uranium situation like any other jurisdiction in Canada. There is a lot of uranium exploration going on in Canada at the moment.

Certainly, I'm not a uranium expert, per se, as the minister. I know out in the world that uranium has a certain connotation and I think, at the end of the day, I would look at Saskatchewan. Saskatchewan has been the largest producer of uranium for many, many years and, in turn, the NDP government in Saskatchewan has benefited from that uranium mining. So I think with modern mining techniques, which, of course, Mr. Chair, are out there, that once we move forward and these corporations move forward into production, I think we have the checks and balances in place to monitor it.

In addressing the member opposite, there are levels of uranium in the drilling process, you know, if it's one percent uranium, two percent, three percent -- and those are all monitored so that liabilities are looked at. The Workers' Compensation Health and Safety Board is involved to make sure that the individuals who work on the sites are safe and sound and that they don't suffer any physical issues with the exploration for uranium.

So I think that we can learn from jurisdictions like Saskatchewan. The fact is there is uranium out there. Without exploration, we wouldn't know if there are the volumes that would move forward into the mining community. The price of

uranium has gone up -- I think it's triple what it was a year or two ago, so it's certainly looking like an investment. A lot of this money for the exploration in 2007, the corporations -- there were 12 uranium properties in the Yukon. The main areas of interest for uranium are, of course, in the Wernecke Mountains and the Ogilvie Mountains north of Mayo. There was $20 million spent in that area. A lot of that money was spent in Mayo and those northern communities. The member opposite talks about trading money for uranium, and somehow it's dirty money or it should be spurned because uranium is bad. I don't believe that.

I don't believe that for a minute. I think that in a modern world with modern regulatory things in place -- and I remind the member opposite that it's not just our government. If it went from development to production, it would be under federal regulation. I think we have the tools to monitor the uranium mining if it ever gets to the point of being mining.

When the member opposite talks about jurisdictions in Canada cancelling it, those aren't facts. If you do your homework, Mr. Chair, you understand that that isn't factual. There's one jurisdiction and that is Nova Scotia, and it doesn't have any uranium. So there's a reason to take a look at whether or not we'll have uranium mining.

When the member opposite talks about uranium, I think we should do our homework. The homework is to take a look at Saskatchewan and other jurisdictions around the world that deal with uranium on a daily basis. I understand that many years ago in the Northwest Territories -- at these mines there were real questions about how we, as a society, and how corporations mined uranium.

But I don't think that's factual today. In fact, the mines in Saskatchewan -- and I would remind you that they produce 30 percent of the world's uranium. It is the largest producer of that product in the world. In fact, a statistic from the mining world is that two products Canada produces the most of in the world, as a country, come from Saskatchewan. One is potash for the fertilizer industry around the world; the other is uranium. Those are two products that we, as Canada, as a country, produce the most of. That is all coming out of Saskatchewan.

As we move forward, if a uranium mine is moved from exploration to development and production, we will be looking at Saskatchewan and other jurisdictions to maximize the safety and issues the member opposite talks about.

There have been conversations about access and all the things that have to happen in an exploration situation, but those are things that will be addressed by YESAB. YESAB was set up through the *Umbrella Final Agreement* to answer the questions that are out there. So we look forward to any reports, or any recommendations from YESAB so that we can, as a government, act on those recommendations.

As far as uranium is concerned, there is exploration going on and the six mineral exploration companies are actively working, and they are predominantly in the Wernecke and Ogilvie mountains north of Mayo. Uranium has been explored there for many, many years. You know, it is not something that was discovered yesterday. Those deposits have been part and parcel of our mineral inventory for many, many years.

We look forward to seeing what happens in the near future, but I think the House here has to be very careful that we don't get into a debate, or get into discussing the healthy part of uranium. It is our job here in the House to be open, to listen to industry, government and Yukoners and, certainly, address any issues that come up around uranium mining, and we have to be ahead of it. We've got to be open to both sides of the argument. That is the issue. The issue is not that uranium mining is bad, because as far as a uranium mine -- we don't have one. We're in the exploration phase, which is a very long way from having an active mine. We have the Workers' Compensation Health and Safety Board in place to make sure that Yukoners who are working on-site -- on drill rigs -- have the safety that is needed for health reasons.

We have the Yukon Environmental and Socio-economic Assessment Board in place to look at all sorts of issues from an environmental and socio-economic aspect. They're independent of government. If we were looking at the amount of uranium or the percentage, there are special terms and conditions for including down-hole disposal of drill and mud salts, or cuttings, where uranium content is greater than 0.05 percent. We're doing our homework; we're monitoring what those percentages are. We're sealing up and grouting the mineralization zones where uranium content is greater than 1.0 percent over a length greater than one metre. Industry and the Department of Energy, Mines and Resources are monitoring that.

Following backfilling of trenches, a radiometric survey will be conducted to ensure radiation levels meet a prescribed concentration for high-grade ores. Core storage should ensure radiation levels meet special decommissioning requirements set out in the closure plan. The department, in conjunction with the closure plan, is working with industry to make sure all these things are addressed up front. As we go through the process and as we look into the future, we're not going to second-guess whether there is going to be a uranium mine in the Wernecke Mountains. We're going to work with the corporation as it is today on exploration. Uranium is part of our inventory. Uranium is out there as is gold, zinc, lead and tin. The list of mineralization in this great territory goes on and on and on.

I think that this government and the department do a stellar job in monitoring things like uranium exploration in the territory. I don't think that it's good business or good government to ignore the fact that we have uranium as a part of our mineralization. I think it's up to us to work with what we have. Uranium has tripled in price over the past year. It's gone up $78 a pound, so there is a demand. That demand has created some much-needed jobs in north Yukon and with that we have drilling programs; we have catering -- the secondary jobs that flow out of that benefit areas like Mayo and Dawson City. All these areas have had a bit of a slump in the past as far as quartz mining has been concerned.

I look forward to moving forward with these corporations and I'll work with them, but I certainly will say in the House here, Mr. Chair, that we won't do anything that's going to affect the environment and, of course, the safety of Yukoners is very important to us in government. The checks and balances are in place, and I think the Department of Energy, Mines and Re-

sources has done a stellar job to make sure that the checks and balances are in place, that we answer the questions Yukoners ask about the exploration in the Wernecke Mountains.

Mr. Edzerza: Well, talking about facts, Mr. Chair, what proof does the minister have to say that Nova Scotia has no uranium? You know, they may be just wise enough not to explore for it, and Yukon should follow that lead. I believe that moratoriums are not taken very seriously, and no province is going to put a moratorium in just because they like that word. They're doing it for a very legitimate reason. Maybe the minister hasn't been watching some of the programs on TV lately about all of the dispute in northern communities. I believe it is maybe Ontario or one of the provinces back east where the communities are totally disrupted and divided. The businesspeople want the uranium; the elders in the community are saying they're more concerned about the deaths that it's going to cause. They are more concerned about the amount of cancer that has appeared in people ever since the uranium mine opened within five miles or 15 miles of the community. I think the minister ought to look at what the people in the territory are saying and take it very seriously.

The minister made some comments about how I shouldn't be worried about health issues. Maybe there is a reason, and that's why the Yukon Medical Association has unanimously called for a review of the health, environmental and social impacts of uranium mining in the Yukon. The question to the minister is: does the minister feel that the Yukon Medical Association is not credible enough to be giving recommendations like this? Why would they do it if there wasn't a concern?

I believe that the credibility of the Yukon Medical Association should be honoured and taken very seriously when they raise this as a red flag. Why would people canoe thousands of miles to protest uranium mining? Why would people go on hunger strikes? I believe one lady is now 41 days into her hunger strike against uranium mining. All these protests that come out across the country with regard to uranium mining are not done just because there are a bunch of radicals out there who feel like they want to be radical about something. It's done for a purpose.

You don't see that kind of resistance to gold mining, copper mining and lead mining, like the minister mentioned, but you do see it against uranium mining. It's for a good reason: because it has been proven to be very detrimental to a person's health.

Again, the minister made some mention that it's not good business sense to question uranium mining in the territory. Well, life doesn't revolve around business. In fact, there are a lot of businesses such as this that can take lives, instead of enhancing them or even giving them the ability to have life itself.

I believe the minister made some comments about people getting too excited about exploration. He minimized what exploration leads to and what it means. I would say this to the minister: why would the government want to lead any mining company on to the tune of millions and millions of dollars if there was no agenda at the end of that exploration?

The minister isn't going to sit there and try to suggest that, well, we'll let the exploration go on and we'll let them open up hundreds of miles of road in pristine wilderness and we'll try to bleed them for as much money as we can, and then, at the end of the day, we'll tell them that they won't have the opportunity to mine this ore.

If that scenario was being put out there, I don't believe many Yukoners would bite that and believe it for one second. The only reason the exploration has been given the green light is because this government wants to open a mine at any cost and it doesn't matter what the cost is; it doesn't matter what the people of the Yukon feel about it either.

The minister made reference to YESAB. We all know that recommendations from YESAB are not really taken that seriously by this government. For example, there were YESAB recommendations about Shallow Bay. Where did that go? It appears the minister and the government just pick and choose which recommendations YESAA makes that will be taken seriously, so there's a problem there.

YESAB could recommend that there won't be any uranium mining, and this government can turn right around and say this mine is too big for us to listen to any of your recommendations and we are going ahead with it, whether the recommendations are positive or negative.

It appears this government believes that recommendations are just that -- recommendations -- and they don't have to be taken seriously. I believe the people who sit on the YESA Board should be very concerned that they spend a lot of hours and a lot of time reviewing requests from the government, and when they aren't listened to, what's the purpose?

It begins to almost be like a big steamroller that's going to roll down the road and crush everything in its place. Anyone who gets in its road will be run over.

So I think it's rather hard to have trust that this government will consult with the people of the territory about uranium mining. I say that because, when you look at the case that's before the courts right now with Little Salmon-Carmacks, for example, the trust issue is not there, because if the government doesn't get its way, it finds ways to get what it wants. It all falls back again on the fact that the Yukon government has hundreds of millions of dollars. They can take anything they want to the Supreme Court, and then they have the federal government supporting them in Ottawa. So between the two of them, they're going to get what they want. It's unfortunate that, once again, the citizens will just have to lump it, because there isn't very much you can do about it, if you have the federal government and the Yukon territorial government becoming partners to push their agenda through.

So it really does look quite bleak for the citizens of this territory to be heard or to believe that they really have a voice when it comes to such a thing as progress, because this government appears to not stop at anything for the sake of progress.

I think there are a lot of red flags being raised today by listening to this minister. I certainly hope that citizens out there who are interested enough to listen to this on the radio or who would come in and get the Blues would read it and read between the lines here. There definitely is, and there will, uranium mines in this territory, regardless.

But once again, I want to ask the minister what studies, if any, the department has done on environmental and health impacts of uranium exploration and development? I hope the minister is not going to say again that this is not a big issue, that it is of no concern. It is a concern. If you read the newspapers and listen to the radio, there is already a lot of concern out there about this issue. I believe the government and the minister have a fiduciary responsibility to the citizens of this territory to consult before the eleventh hour reaches a point of no return. That is another thing that seems to be happening quite often with this government -- they wait until the eleventh hour when you can't reverse anything. That's a problem.

You need to be up front with this issue and be sincere, and do the work, even if it is going to be negative for the government opening up 10 more mines in the Yukon -- all uranium mines. I think the government owes it to the citizens of this territory to do the proper work and do the proper consultation. In fact, I was rather surprised that there appeared to be no consultation with Yukon citizens before this winter road was given the green light. That's a problem. It should have been done even before any exploration.

Again, I'd like to know if they did any studies on the environmental and health impacts of uranium.

Hon. Mr. Lang: In addressing the member opposite, I'd like to correct him. At the Yukon Medical Association AGM, one of the motions passed called for the government to review the health effects of uranium exploration and mining. That's exactly what we're doing. They didn't say to put a moratorium on exploration. They had some concerns about the effects on individuals who work in the field. And of course we do, too. The government of the day does, and that's why we're working with the Saskatchewan government, looking at their regulatory work to see, if we moved from exploration, how we as a government would address those issues.

The Yukon Medical Association didn't recommend a moratorium on uranium exploration; they just put up a red flag that we should be concerned and look at the health effects of uranium exploration and mining. That is a correction.

The member opposite talked about the Little Salmon-Carmacks court case. I remind the House they took us, the public government, to court, and we're following the process. We as a public government have the right to appeal a decision made here in the territory, which we are proceeding with. The Little Salmon-Carmacks group decided -- with their government -- to take our public government to court over a decision, and we're following the process. That's exactly what public governments do. We look forward to that decision.

As far as uranium mining or exploration in the territory, the National Energy Board has a national interest and would have some overseeing powers on any uranium mine in the territory.

So as far as any individual in the House pointing a finger at the industry and saying that somehow we as a government are going around anything to put Yukoners in any kind of situation that would be unhealthy or otherwise is, again, dead wrong. We have a responsibility here in the government to govern the territory; that's what we were elected to do. We will take that responsibility very seriously.

The member opposite talks about the Wind River Trail. The Wind River Trail has been a trail for probably 70 years, if I can guess that properly. That has been access to that area for many, many years. It has been used not only by the mining community; it has been used by the outfitters in that area, it has been used by wilderness outfitters and also by the local population, whether First Nations or others. The Wind River road is not a new road. I remind you, Mr. Chair, that it's in front of the YESA Board. YESAB will come down with their report but, as far as the YESAA process, all Yukoners -- organizations and the Wilderness Tourism Association -- are welcome to comment; that's what YESAB was set up to do.

The Yukon government has no position with respect to the application at this time. It is up to YESA to assess the proposal, including the views of the public and First Nations, and make its recommendation. The Yukon government will not make a decision about the proposal until after the YESAA process is complete. Those kinds of comments by the members opposite that we would not take what YESAB said -- or their recommendations seriously -- is dead wrong.

So, as far as the uranium exploration in northern Yukon, I think it's in good hands -- as the minister responsible for the regulatory part of this. Eventually, if it were to grow into a mining situation, we would have the National Energy Board. We also have Saskatchewan at our access. The members opposite who were talking about uranium should look at Saskatchewan. The government of the day was the NDP for many years, and they profited from uranium mining in Saskatchewan. They are today a jurisdiction that is held up as an example of how to mine uranium safely.

I'm not denying the fact that at one point in our history, a long, long time ago, during the Second World War when we were looking at uranium for defence reasons, there were some questionable processes on mining uranium and people were affected. I'm not holding that up as an example of how to do things, I am just saying that we went from there to a modern mining process in Saskatchewan that produces 30 percent of the world's uranium. That is being mined today in a very, very constructive, reasonable way using a safe process.

When the member opposite talks about this industry as if it has some kind of side to it that isn't Canadian, that it would be doom and gloom and the world would come to an end, we only have to look at Saskatchewan which, over the last many, many years, has produced this product, and it has benefited all Saskatchewanites. Saskatchewan today is becoming a have-do province and it is done by this kind of extraction of natural resources. I compliment the Saskatchewan government for doing exactly what they did. That was to run an industry in a safe way that would benefit all Saskatchewanites and would have a very positive return for the province and, in turn, Canada.

So when the member opposite talks about the industry, we have to do our homework. I mean, we as a small jurisdiction have some homework to do to make sure that the next steps that we go along -- from exploration into development into production -- are done in a con

structive, reasonable way. This government will commit here in the House to make sure that we'll learn how to do that from Saskatchewan and other jurisdictions. Certainly there are examples out there of how we can regulate that industry to benefit all Yukoners.

Now, as far as the member opposite's comments on other issues, I think it doesn't bode well in the House to point fingers at the government and say things about how we manage YESAA or how we do this or that -- we work with all agencies and all regulatory agencies and NGOs to benefit all Yukoners. Again, that's our responsibility as the public government, so I hope that that answered the member opposite's questions. Regarding the court case with the Little Salmon-Carmacks First Nation, that was a case that was brought on by the Little Salmon-Carmacks First Nation, and we're going through the process as we should, and as we will. That, right at the moment, is in the appeal courts. We look forward to that being finalized.

As far as uranium mining in the territory is concerned, that does not exist today. There is exploration in the Wernecke and Ogilvie mountains on an exploration level, and we are monitoring that and working with the corporation and Workers' Compensation Health and Safety Board. We must negate any kind of liability there that would be created by the exploration of uranium.

Uranium does exist in the Yukon. It is a resource. It has potential to benefit Yukoners and I would say to the members opposite, let's walk into this slowly. Let's do our homework. Let's work with industry but, most of all, let's work with Yukoners. The member opposite is talking about how individuals in the territory have input. That's what YESAA is about. Those doors are open. As we've read in the paper for the last week, those individuals all had access to the YESAB. Those decisions -- recommendations -- will come from the YESAB and we look forward to them in a timely fashion.

I recommend to the members opposite that they read up on uranium mining. I recommend that they take a real close scrutiny of uranium mining in Saskatchewan, because that is a success story in the world. We, as a government, as a department, have been very conscious of that and of course we look at the Saskatchewan regime and make sure that if, in fact, we move forward, Mr. Chair, with uranium mining in the territory and, in fact, go from the exploration that is happening today to developing a mine and then going into production, that we cover all our bases, that all the t's are crossed and the i's are dotted so that we make sure that Yukoners maximize the benefits but minimize any impact we would have on the individuals.

I think that cherry-picking situations in the past does not bode fairly to the industry of today. We only have to look at the territory that we live in today and the mining mentality and what happened in the past. We only have to look at Faro, Clinton Creek, and United Keno Hill. United Keno Hill started in the 1920s. The mentality in those days, from the general population and also from the mining community, was completely different from today, which we as a society demand.

We as a government have worked on our regulatory homework to make sure that we don't duplicate or have an issue where these environmental questions are left unanswered by mining companies at the end of the day.

As we mature as a government and as a community -- and the industry has a responsibility to mitigate any issues on the ground for any mining community, whether it's a copper, gold or silver mine. Whatever we have in our inventory in the Yukon, we as a government will be very conscious of anything done to the Yukon in an environmentally unfriendly way.

When the member opposite talks about environmental issues, we as a government and as a Yukon society will not tolerate another situation that was created in the past. That we've done and we're very conscious of it.

When I say this, I'm not mitigating the responsibility of the corporations. I think corporations have turned their processes and attitudes, as they move forward, into our communities to minimize and mitigate any environmental responsibility they have, and they themselves have looked at our regulatory and closure plans in a very positive way.

You only have to look at Minto mine. I recommend to anybody in the territory, if they have the opportunity, to do a walk-through at that mine. It's a modern, producing copper mine with a copper-gold deposit, and everybody in the territory and certainly everybody in this House should make a point of visiting it, because it is a compliment to the industry.

With that, regulatory closure plans are in place, money is on deposit and there's a closure plan in place. So if we can do it at Sherwood Copper, at Minto mine and at Western Copper, and the potential we have at Wolverine and all those other deposits, I think we can mitigate any uranium issues. We can answer Yukoners' questions and look at Saskatchewan as an example of how to work with industry, Canadians, and maximize the benefits, but also mitigate any ramifications that that kind of production would have on the environment and the individuals who work in it.

Instead of standing in the House debating the issue of uranium mines, I think what the members opposite should do is get knowledge of uranium mining. It's available in Saskatchewan. I'm sure if they do their homework, we can have a completely different debate here with that kind of knowledge. I look forward to eventually going to Saskatchewan and looking at a uranium mine and taking Yukoners with me to do a critique of the industry and see just how a producing uranium mine works on a daily basis, see what checks and balances they have in place to mitigate any ramifications that could come from extracting uranium.

They produce 30 percent of the world's uranium. Thirty percent of the world's uranium comes out of that little province and that, in its own right, is a huge revenue source for Saskatchewan and for individuals who live in Saskatchewan. So in the member opposite's rush to close down uranium mining, I think that that is just something in the heat of the moment. I think that what we have to do is be constructive and take a look at it and see the pros and cons of the industry. The member opposite talks about our government putting in six or seven uranium mines -- that is just conversation, I hope, in the House here. We are at an exploration level with uranium. Certainly, out of that there might be -- I remind everybody -- a mine cre-

ated at some time out of those exploration dollars. You don't create a mine without exploration. When the member opposite insinuates that we're looking at just milking a mining company out of their exploration dollars, I say, "No, we're not." I say that I recommend a thorough exploration of the area so that they can make corporate decisions.

If those corporate decisions one day are that they're going to move ahead and develop and go into production, then we have YESAA, we've got all these checks and balances in place and we will address the issues as they move forward. I would appreciate anything the member opposite has to add this afternoon and remind the member that this is just an exploration of uranium deposits in the Wernecke and Ogilvie mountains that, by the way, have been explored many, many times over many, many years. So it's not just the money they spent last year; millions of dollars have been spent in the past and I look forward to seeing what comes out of these exploration investments.

Mr. Edzerza: I believe that this discussion taking place today is of the utmost importance to all citizens in this territory.

The minister made the comment that the opposition should do their homework. We try to do the best we can, Mr. Chair, and thank goodness for some technologies today like the Internet. It takes only a matter of seconds to bring up some very valuable information that citizens should be aware of.

Now, this is a serious thing for health issues. The government knows that. Canada knows that. If they don't, then they're turning a blind eye to everything that is destructive about uranium. For the record, I'd like to state that uranium was used to make the atomic bomb that killed millions of people in Japan. That's the good old uranium stuff and what it's used for -- one example. Of course the minister will come back and say there are a lot of positive things too, like atomic power and everything else. But people have to learn from past mistakes, not repeat them. You look at the Chernobyl issue, for example. We will never know how much damage that did. Acid rain -- how does that carry atomic waste when there's a mishap like the meltdown of the reactor in Chernobyl?

Those are important questions for people to be asking.

It just so happens that during the research we were able to find something by Andrew Nikiforuk from the *Calgary Herald*. This was written on Saturday, March 14, 1998. 1998 is not that long ago. "Echoes of the Atomic Age: Cancer kills fourteen aboriginal uranium workers".

Mr. Chair, it very specifically states that Dene hunters and trappers innocently called uranium "the money rock", because that's what it brought them -- money. People wanted to come there and mine that uranium to make money. So, they called it the money rock and they didn't even know what it was.

The article goes on to say, "Paid $3 a day by their white employers, the Dene hauled and ferried burlap sacks of the grimy ore from the world's first uranium mine at Port Radium, across the Northwest Territories to Fort McMurray. Since then, at least 14 Dene who worked at the mine between 1942 and 1960 have died of lung, colon and kidney cancers, according to documents obtained through the N.W.T. Cancer Registry. The Port Radium mine supplied the uranium to fuel the $2-billion effort to make the first atomic bombs."

One elder said, "Before the mine, you never heard of cancer. Now lots of people have died of cancer."

Cindy Gilday, the chairwoman of the Deline's Uranium Committee said, "In my mind, it's a war crime that has been well hidden. The Dene were the first civilian victims of the war and are the last to be addressed."

The article goes on to say, "The Dene, who say they were never told of uranium's hazards, will decide next weekend whether to sue or seek a settlement with the federal government." This was in the *Calgary Herald* in 1998.

So again, Mr. Chair, we can't downplay and try, for the sake of the money rock, to disregard the very serious ramifications that can come from a uranium mine in the territory. I don't buy for one second that the minister and the government are just going to go along and say "Oh yeah, well, at least we're getting $20-million worth of exploration" and not expect to have a mine at the end of the road. I think that's the goal. It is to have the uranium mines. If there are 12 deposits, then I can guarantee you that the government will have 12 mines if they were proven. Why? It is the money rock. That is how I'll refer to it from now on -- not as uranium, but as money rock.

A 1991 federal aboriginal health survey found that the Deline community reported twice as much illness as any other Canadian aboriginal community. Now, those kinds of facts are really disturbing. I certainly hope that this government is not going to downplay those serious issues and go for the money rock.

Now, there were some more interesting things from Janice Harvey who is a freelance writer and a long-time director of the Conservation Council of New Brunswick and a graduate student at UNB. She states, "The deadly legacy of uranium mines in Ontario, Saskatchewan and the Northwest Territories is millions of tons of mine tailings, which remain radioactive for thousands of years. The Serpent River system was contaminated with radium nearly 100 kilometres downstream from abandoned uranium mines and tailings at Elliot Lake in northern Ontario."

Mr. Chair, this government has to listen to this and take it seriously, because it appears that the minister across the way is more interested in knowing that there is $20-million worth of exploration. Again, you cannot convince me as a citizen of this territory that exploration doesn't lead to development. Exploration is done because you want to develop something; it's not done just for the sake of going out and being on the land. It's done because they want to develop a mine.

I caution all citizens in this territory who are listening to this debate today to make an issue of this and to make this government listen to the citizens of this territory. I can guarantee if it were an election year this wouldn't be on the agenda. It would be off the agenda, but this is early in the mandate, and the government feels it's safe to go ahead with this and not have the repercussions. If they do, so what? It's four years down the road, and we'll have had our time, we'll all be pensioned off. Who cares if we get re-elected?

I think citizens of this territory have to take this very seriously. The minister keeps referring to Saskatchewan's uranium mining. I just caution him. He said he's going there. He might come back glowing in the dark -- who knows? And that might be good. He might be able to see where he's going with a lot of things that he can't appear to know what direction to take. Maybe it's because he can't see where he's going.

Perhaps he should read a book that came out last month that was called *Canada's Deadly Secret: Saskatchewan Uranium and the Global Nuclear System*. It's written by Jim Harding. *Canada's Deadly Secret* chronicles the struggle over Saskatchewan's uranium mining, the front-end of the global nuclear system. It demonstrates the negative impacts on aboriginal rights and environmental health and the effect of free trade in tracing Saskatchewan's pivotal role in nuclear fortification, which spread contamination and nuclear contamination and cancer.

Jim Harding shows that nuclear energy cannot address global warming, nor is there a peaceful atom. The book goes inside biased public inquiries, explores PR campaigns of half-truths and untruths and indicates the penetration of nuclear propaganda in our schools. *Canada's Deadly Secret* also highlights successes in holding back nuclear expansion. It presents an alternative ecological vision for a sustainable future that not only takes up the invitation coming from the renewable energies but also links energy, environment, health, peace and sovereignty.

So regardless of how the minister wants to try to skirt around this issue, I think it's important that a lot of the seriousness around this issue has to come to the forefront before the eleventh hour, when the government is going to stand up and boast about another mine opening in the Yukon Territory, and lo and behold, it's uranium.

Say what the government wants to say, but I still believe there's a lot of seriousness around the health issue. I would like to again encourage the minister and the government to do their homework. They repeatedly remind citizens in this territory of their fabulous record of consultation. Well, I hope they get to brag about the consultation they're going to have on this issue. I'll even stand up and grandstand with them, and I'll say they did a marvellous job of consultation. I would pat them on the back at the end of the day if that took place and they got the true feelings from Yukoners. If a very high percentage of Yukoners say this is not an issue, to go ahead and open up all the uranium mines in the Yukon, then I guess we'll all suffer for that at the end of the day. At some point in time, one has to ask where the line is drawn. When do citizens get to say that this is not going to happen, that we are not going to be subject to being branded as one of the members supplying uranium for the destruction of mankind? We shouldn't be the ones who will be put at risk.

The minister will stand up and say that people down south say, "Not in my backyard". But I believe this territory is basically the last frontier where the citizens are starting to stand up and reject some development for the sake of keeping the Yukon healthy.

Again, Mr. Chair, the bottom line is that if the proponent gets through the YESAA screening process and the Water Board, it is this government's policy that it's okay for them to go ahead with the uranium exploration or development project. They have just confirmed that there will be a uranium mine in the Yukon by supporting this.

Yukoners have never been asked if they approve of uranium development here. In fact, I've even had some feedback already -- "What the heck do you mean they're going to try to start a uranium mine here?" Everybody was caught by surprise with this announcement in the paper about opening up this winter road to go and explore for uranium. It caught a lot of people by surprise. The potential impact on our environment and on our health is huge. We can't deny that and we can't downplay that. That has to be taken very seriously. The evidence linking uranium to increased cancer rates and other health risks is indisputable and it's growing.

Will this minister support a moratorium on uranium exploration and development until Yukoners have a chance to consider those impacts fully? I want to know if the minister will do that. Until they have been fully consulted about whether or not they agree with uranium development here -- I think the minister and the government owe this to the citizens in this territory before they announce that there's a mine going ahead. So, I want to know if the minister will consider this. He has his opportunity today to tell all Yukon citizens in the territory what he thinks about their health and their safety concerns.

Quite clearly, the answer will be this: if there is no moratorium, the health issues are secondary to the money rock.

Hon. Mr. Lang: Speaking from the government side, we have to deal with facts. He can quote as many articles as he wants. The facts are that uranium mining in Canada is regulated by the federal government under the *Nuclear Safety and Control Act*, which is administered by the Canadian Nuclear Safety Commission. If there is uranium mining in the Yukon, it would require assessment under the *Yukon Environmental and Socio-economic Assessment Act* and, by the way, the *Canadian Environmental Assessment Act*. It would also require federal and territorial permits.

I find it very discouraging when I listen to the member opposite quote statements by individuals who have a vested interest in one side of the argument or the other. The argument from the government side is this: uranium is out there and is part of the resources of the territory; there is exploration for that product going on today, as it went on 30 years ago. The member opposite talks about the first uranium mines in Canada. I agree with him: they were not properly managed from a safety point of view.

Did they do that out of design? I don't think so. They did it because they didn't have the knowledge at that time to manage it in a proper fashion. Today, as we grow into this, I think the Saskatchewan government has done a stellar job of doing exactly that.

The member opposite talks about me individually, or government or individuals, going to a uranium mine in Saskatchewan. In the future, within the next four or five years, if I am lucky enough to still be minister, if we were to move from ex-

ploration into development and production, I would take the member opposite with me and we would investigate a modern uranium-extraction mining process to make sure that the member opposite is comforted by the modern production of uranium.

There is a lot we can say about this today. The member opposite quoted many articles that are against uranium mining or even the use of uranium. I would remind the member opposite that there is a university in Hamilton, Ontario, which is called McMaster University, that has a reactor there, and that's where all of our iodine is processed for medical work across Canada. There are other uses for this product.

The member opposite is insinuating that the atomic bomb during the Second World War was -- there was a decision made to use that weapon to end the Second World War. You can debate how many people died because of it, but let's look at the other side of the ledger. How many people did it save? I remind the member opposite that nuclear weapons were used twice and both of those cities were in Japan, and they were used to end the Second World War. The President of the United States made that decision -- well balanced on the merits. The President of the United States was representing Americans. His priority was how many American lives it would save. I remind the member opposite that the nuclear weapon would not have dropped on Japan if they hadn't attacked Pearl Harbor.

So, if you're going to look at both sides of this, I would say that I certainly am not for using nuclear weapons, but in arguing the fact that it killed X amount of people in Japan -- which to me was a terrible issue for Japan and for the world. In turn, the President of the United States made a decision that saved many, many lives. Probably hundreds of thousands of individuals were saved in the invasion of Japan, so I would say to the member opposite that time changes everything. Uses for uranium have grown into medical and other uses. Obviously, by the price of the product, there has been a renewed need for the product.

At the end of the day, I think the federal government and we, the Yukon government, would have checks and balances in place if in fact a uranium mine would be looked at in the territory. I remind the member opposite we're only in the exploration stage. Exploration for uranium has been going on in this country for 50 to 60 years and it hasn't produced a mine yet.

We've also had exploration out there for tin. We haven't seen a tin mine yet, but all of those metals create interest and there is investment in that interest to prove it up. If they prove up the uranium mine and it goes from development into production, we will address those issues as we move forward, but as far as ignoring the fact that we have the resource in the territory, I say to the member opposite that is a folly. There is a way that we can benefit from any resource we have in the territory, well-managed, and uranium is part of that inventory.

As we move forward with exploration and as we move forward in managing our resources, I would say that, one day, maybe there will be a uranium mine in the Yukon. Hopefully, the government of the day, whichever government it is, will do the proper assessment through YESAB and the Canadian government will step in with their *Nuclear Safety and Control Act*. Of course, you would have to work with the Canadian Nuclear Safety Commission. All those agencies would have checks and balances. At the end of the day, we would have a successful conclusion, if in fact we were to move forward.

So as we look into the past and describe the situation that was at hand in the 1940s and compare them to today's facts, Mr. Chair, that isn't reality. The reality is that there are individuals out there who were in the workplace and were working with a product that was very dangerous and they handled it in a dangerous way. Not out of design, Mr. Chair -- nobody chose to do that. It was because of the time and the situation of the day and the checks and balances.

Did we learn from that? Certainly we learned from that. The whole industry learned from that, but at the time the industry and governments didn't understand what they were working with. I say to the member opposite that by looking at what Saskatchewan does and other jurisdictions and working internally with Yukoners and also the industry and also the national government, I think that there are enough checks and balances that we can do exactly what the member opposite was talking about.

If, in fact, the uranium situation proved to be an option, I think that option should be looked at. It should be looked at for the potential for resource revenue for the territory. Right at the moment, Mr. Chair, we at this side have to deal with facts. The facts are that at the end of the day, this is an exploration proposal that has been worked on. I remind the member opposite that the Wernecke Mountains have been explored for uranium for the last 60 years. It is ongoing work in the exploration world and all the questions that the member asked can, I think, be answered as we move forward.

We're a long way from a producing uranium mine. That is not at the moment what the YESAA proposal is for the Wind River. That's not the proposal at the moment. It's strictly for exploration. It's to move product in and around. And I remind the member opposite, mining communities have used the Wind River Trail for many, many years. Whether it's exploring for silver and lead, all sorts of resources in the Wernecke and Ogilvie mountains have accessed the Wind River Trail for the last 50 years or longer.

And the Wind River has been used by the outfitters in the area and all sorts of local individuals and First Nations who use that for access to that part of the world. So it's not something that is new. It's not a new trail. It's an old trail and the company has applied for winter access so they can bring equipment and exploration equipment and resources into the area for next year's exploration. So it's not unusual for mining companies to put those kinds of applications in. I remind the member opposite that YESAA is all about local participation, and we look forward to the recommendations that come out of those consultations.

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

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 8, *Second Appropriation Act, 2007-08*, Department of Energy, Mines and Resources.

Mr. Edzerza: Well, we're just about finished with the questions regarding uranium mining. However, there is still just a bit that should be asked with regard to this.

First, I'd like to assure the minister that when we talk about uranium and atomic warfare, that debate is a debate by itself. I know the minister made several comments about the pros of that atomic bomb and the millions of people it killed, but the other side of the debate is whether or not it really was pro.

Anyhow, I'm not going to go there; it's history. Again, the purpose of this line of questioning is to give notice and awareness to the government and to the citizens of the Yukon Territory that we must learn from past mistakes, not repeat them.

Earlier today in Question Period, the Acting Minister of Environment made the comment that there are actually six mineral exploration companies actively exploring 12 different uranium properties in the Yukon. I would like to know if the minister can identify those exploration companies. I also would like to know if the government has any policy to prevent individuals or companies that have already left behind huge environmental liabilities for the taxpayers to clean up from starting up new mines in the Yukon. If not, why not? If there is nothing to prevent or restrict people who make a huge mess of the land here, why would we encourage them to come back into the territory if they have a track record that is not acceptable?

There are those two. I have a final question for the minister with regard to this issue. From time to time, the department hires champions to help resource development proponents stickhandle their way through government red tape. Is the department paying for any champions for Cash Minerals or for any of the other companies with uranium interests in the Yukon? If so, will the minister table the terms of reference?

Hon. Mr. Lang: In addressing the member opposite, I would remind him that at this point in time there are no champions working for those exploration companies. The champions come in when we get into a development production stage. It is not red tape on the government's part; it is individuals who are familiar with the system and help the proponents get through it. It sort of mitigates a lot of the questions that people would have to answer if these corporations came forward with those kinds of questions. It just shortens up the dialogue when a lot of these mines move forward.

I want to remind the member opposite that uranium mining in Canada is regulated, again, by the federal government. That is under the *Nuclear Safety and Control Act*. That's administered by the Canadian Nuclear Safety Commission. That's over and above what we would do through the *Yukon Environmental and Socio-economic Assessment Act*. So there are all sorts of steps. Then there's the *Canadian Environmental Assessment Act*. There are all sorts of required federal and territorial permits before any uranium deposit would go toward development production. We do have checks and balances in place. We are going to be working with those checks and balances to make sure that anything is done in a responsible way.

Now, as far as mining companies coming to the territory, now that we have devolution we have a new reclamation act and policy in place to mitigate any environmental impact that any mining company would have on a site. So we have that in place to do exactly what the member opposite is talking about -- checks and balances, corporate responsibility for reclamation and environmental responsibility. We do that through a cash deposit, which is an assessment of the liability. That assessment is done on a yearly basis to make sure that the deposit in place will address any issues, if in fact the mine were to close for some reason. So we do our homework here on this side. We do not want or will not allow -- as a community, as a society -- another situation where we have a Yukon responsibility, a Canadian responsibility, in reclamation such as our type 2 mine sites.

So we're very aware of that and we as a community and as a government have been very aggressive to make sure that this reclamation act and policy is in place for all mines that open up in the future and today to make sure that they can handle the financial and physical part of making sure that the environmental impact is addressed at all levels of any mining exploration or development or production. We're doing our work through the department and we look forward to the relationship that has been nurtured with companies like the one at Minto mine.

I say to the members opposite if, in fact, you can take advantage of a trip to that mine site, Mr. Chair, that is what I see -- as the minister -- the new age of mining in the territory. I compliment the corporation for doing what they've done so far and also the department on their assessment and the resources that we have invested in place to make sure that the mine follows the reclamation plan that is put together so that we can monitor that plan as we move through the production stage.

I think we're doing our job. I think that the Department of Energy, Mines and Resources will police the industry to make sure that all these issues are addressed -- and addressed not at the end of the mine's life. Reclamation is an ongoing responsibility of the corporation to make sure that, at the end of the day, when the mine shuts down -- because mines close.

When minerals run out, we have a mine that isn't productive. Some mines have a longer life than others, but Minto mine has a life of anywhere from seven to 12 years. Well, it's our responsibility -- as government and the corporation -- that when the doors close on the mine, the reclamation and cleanup have been done in a progressive way so that when they leave the site, it is left in an environmentally friendly way and it can go back to nature and Yukoners aren't left with the responsibility of a cleanup, which type 2 mines did -- but with existing closure plans that have been worked out, and we work them out on a daily, weekly, monthly and yearly basis.

In the regulations for the closure plans, we have assessment points where, first of all, we assess that the resources in place are enough to do the job, if in fact there is a closure, and, secondly, that they are doing what they said they were going to do in the closure plan. It's always a work in progress. We are looking forward to working with the existing mines that are out there now, such as Minto mine, and mines in the future.

When we look at exploration projects, they are permitted and they also go through the YESAA process. There are all sorts of checks and balances in modern Yukon that we utilize to make sure that situations don't arise that we as a community or society will not allow from an environmental point of view.

I say to members opposite that with YESAA, closure plans and all the checks and balances we have in place at the moment -- and the dedicated staff we have to work with that -- I think the mining community is in good hands. I look forward to the benefits that these investments garner for communities like Pelly and the Selkirk First Nation.

Minto mine is on category A land belonging to the Selkirk First Nation. That means that the First Nation not only owns surface rights, they own subsurface rights. So, they will, in turn, garner 100 percent of the royalties. There is a success story for the First Nation, a stream of revenue they can utilize for their citizenry to make sure that their community has the wherewithal to succeed and move forward. Those are all small success stories inside the Yukon, but it's important for us to have those success stories as a society.

I look forward to working with other communities in the territory to create the kind of success that the mining opportunity does bring to the Yukon, with the money that is being invested in exploration -- Ross River is another example, Mr. Chair. With the opportunities the mining community has added to the community of Ross River, they've gone in the exploration season to where there is very little unemployment in Ross River. Individuals are working. The emerald mine has a small group of individuals -- a lot of the women in the community work at the emerald mine because it's a sorting process. Of course, we have Wolverine and Howard's Pass -- all of that gives opportunities for that community to, again, make a success out of itself, put training dollars on the ground to train their individuals and to add wealth to the communities.

In addressing the member opposite, I think the mining community can definitely be a plus for the territory. With our checks and balances in place, I think it will prove to be very beneficial to all Yukoners to have that other industry that we haven't had for a long time. Managing it properly will benefit all Yukoners.

Mr. Edzerza: I would like to basically end my debate here with regard to uranium mining. I believe the minister sort of lost this debate, so there's no sense in continuing on with uranium mining debate.

However, for the record, I would like to state that First Nations are recorded throughout history as saying how important it is to take good care of Mother Earth. People around the world didn't listen; therefore, people around the world are now suffering at the hands of their own destruction. Maybe those coming to this country should have listened to the First Nations of this country. It has been recorded throughout history how important it is to take care of Mother Earth. Once you destroy it, you can't restore it.

If we take notice now of all the issues around what they call global warming, I believe First Nations probably believe that's what they were trying to prevent -- the destruction of the air, water, land and so forth.

I will go into a different area: coal mining. A previous Yukon Party government was pretty gung-ho about developing coal mines in the Braeburn area, and fortunately it didn't happen.

The Economic Development minister has been very active in pursuing investment possibilities in China. As the world's new economic giant, China has an insatiable appetite for mineral resources, including coal. Unfortunately, China also has the worst reputation in the world when it comes to atmosphere pollution. One of the biggest contributors to that pollution comes directly from its heavy use of coal.

Is the minister aware of any talks underway right now regarding the possibility of exporting Yukon coal to China? Does the minister have a written policy about coal development?

Hon. Mr. Lang: I guess the answer to it is to shut down coal mining. Is that what the member opposite is going to recommend? Again, it's another asset the territory has. And certainly, other governments have looked at developing coal -- we're not, at this point. Coal leases are out there, and they're managed. But they are an asset of the territory.

We're not prepared to shut down opportunities for Yukoners. I mean, today alone, the NDP are recommending that we shut down any exploration for uranium, and now the member is saying we should shut down coal exploration. I think that's folly. By shutting down opportunities for the territory, I think you do the territory a disservice.

All of these resources create opportunities for the territory -- whether it's in northern Yukon or in the Braeburn area, those are all opportunities. And we shouldn't shut them down for the sake of shutting them down. What we have to do is have checks and balances in place.

The member opposite talks about the issue in China. Well, I'm not an expert on China. I don't know about the environmental issues in China -- just what I've read. The member opposite probably doesn't know any more than I do. China does consume a lot of resources but, in reflecting on China, they do have 1.3 billion consumers, and those consumers are consuming more and more as far as automobiles are concerned and all of the things that you and I in the House here expect.

If you were to look at China 10 years ago and look at China today, China today hosted a huge tennis match in Shanghai -- a world-class tennis match in Shanghai.

Ten years ago, would you have heard of China hosting that calibre of sports? They're going to host the Olympic Games -- a huge step forward for China.

Now, how they create their energy and how they handle their environmental issues are, I guess, an internal management tool, but I think as they grow into the modern age, they will have the same questions we all do about the environment. I think that they will probably come out of this realizing that dirty coal is not the way to go as far as power is concerned. We certainly -- as we became a modern nation -- used coal. We still use coal in places like Alberta to fire power, but through using coal, we've also learned how to manage coal, how to filter it and how to work with the environment.

So, it's an issue. I say we're not prepared to shut down coal mining or the opportunity to explore for coal. We're not pre-

pared to pick different metals and say that they are off limit. We are going to work with the opportunities that are brought here to the territory and we're going to be very vigilant in what we do on checks and balances. However, as the member opposite talks about, Braeburn has a coal deposit that has been looked at many, many times -- another resource that was looked at; Carmacks coal was looked at for many years, utilized by Faro, United Keno Hill and the steamships. So, the resource there goes back many, many years.

But as far as today is concerned, there are individual corporations that have coal leases in the Yukon. We work with those corporations. There is nothing in front of me, as far as exporting coal to China, to the United States, to Alaska, per se, so that issue is not on my desk nor have I been briefed on any opportunities like that, but we certainly would look at any opportunity that arose that would benefit the territory and the people who live in the Yukon.

Mr. Edzerza: It appears that the minister should pay more attention to the questions being asked. I think if he reviews the Blues tomorrow, he will find that I did not request that the minister shut down all coal mines in the Yukon. I simply asked a question of the minister. I will ask it again: does the government have a written policy about coal development? If so, will he provide us with a copy? That is the question I asked -- nothing else. The minister chose to make a long story of his own with regard to what I said. He should learn to listen.

I have just one more question with regard to the extension of Hamilton Boulevard. I am bringing this question to the minister because I got a phone call at home with regard to what's happening with the extension and the wood that was salvaged at the end of Hamilton Boulevard. I got a phone call from a resident in Hillcrest who said that they went there to salvage some wood and were told that no private citizens were going to be allowed in there. They were asked to leave the area until the commercial woodcutters got all the wood they wanted.

I want to ask the minister a very simple question. It is a yes-or-no question. Is there any truth to that?

Hon. Mr. Lang: No, there isn't any truth to that. Local residents can secure a permit for one cord, or two pickup truckloads, of green fuel-wood for their personal use. What they have to do is get a permit and move forward. The wood is free. They can have one cord or two pickup truckloads. There is a public advertisement for that, which I have read myself.

The department has initiated a plan that requires a portion of the wood closest to residential areas to be cut into six-foot lengths and placed in small stacks to address public safety concerns and make it easier for the public to remove it without using equipment. We are doing what we can as a government to maximize the use of the existing wood for the general public.

As far as your constituent saying there was no access to that, it is not correct. The resident will have to get a permit and the permit will consist of one cord of wood per permit or two pickup trucks of green fuel-wood for personal use. So in fact, the issue has been addressed and I see, as I live in that area, that there is a lot of wood being salvaged from there and being used by local individuals.

Mr. Edzerza: Mr. Chair, I just want to ask the minister again: was this policy put in place after the commercial woodcutters had their select pick of the wood or was it something that was right up front and everybody had this level playing field right from the beginning?

Hon. Mr. Lang: We are aware of the impact this would have on the commercial fuel-wood industry when you are offering wood for free. We have individuals out there who pay stumpage and pay for access to commercial firewood so this definitely would have an impact on them. But we are putting in Hamilton Boulevard, there is usable wood there and this is how we address it. We addressed it by limiting the amount of wood that people can access so that they get one cord or two pickup loads.

We are doing what we can to try to minimize the impact on the commercial firewood industry. They are an industry that has worked in this territory for many, many years and we want to minimize the impact from a financial point of view by releasing all the wood to one individual or picking winners in this. Everybody who gets a permit has access to one cord of wood or two pickup loads.

Mr. Edzerza: In other words, the political response to this was yes, this policy was put in place after the commercial woodcutters got to select their wood. I find that unacceptable. Sure, woodcutters are important people in this territory. Sure, they make a living off it, but when there is a public project like the extension of Hamilton Boulevard, no one should benefit from that personally when it comes to wood.

I think the minister has to recognize and realize that there are a large number of citizens in this territory who live within spitting distance of that area who cannot afford to pay $200 or more a cord. They should have been given the opportunity to go in and harvest wood the moment it was opened up.

Those are all the questions I have for this minister.

Hon. Mr. Lang: The member opposite is wrong. We have to balance the commercial woodcutting with public access. We did that by controlling the amount of wood one permit could access. We did that by looking at cutting the wood to six-foot lengths so that people could load it into their trucks. We did that at a cost to the government.

We tried to maximize the use of the wood. I definitely know that the price of wood, with the cost of everything else, has gone up. The commercial woodcutters have to make a living too. Where costs go up on a daily basis, there are ramifications on the price of cordwood. We, in turn, want to make sure that we don't fill the void that the commercial woodcutters could fill. That's why the member opposite insinuates the commercial woodcutters had priority in this. They certainly didn't. What the general public did was to get a free permit and get a friend or get them with a pickup and pick up two loads of wood or one cord of wood, and that would be given to them for free.

Access to it was available and the piles were there, so all individuals had to do was put it on their truck, take it home and cut it up. So, we've done what we could with the wood that was being salvaged on Hamilton Boulevard. The wood being salvaged belongs to all Yukoners, and we tried to maximize the

benefit to all Yukoners when we made this policy. This policy limited the amount of wood that one individual, or one permit, could take. We did that for a reason, and the reason was that we wanted to maximize the number of people who benefited from the salvage. And it's working, Mr. Chair. Individuals are acquiring wood -- I see it on a daily basis. They're going in there and getting their wood. We've done what we can do to make sure we use the wood that we salvage so it doesn't go for naught, and also tried to minimize the impact on the industry, being the commercial woodcutters.

Mr. Fairclough: I do have one question. It would be nice to spend a lot of time asking questions in this department. As the minister well knows, plenty of mining activities have taken place in my riding for a number of years, right from the very tip of the riding I could travel to by vehicle to the very southern part -- north to south. Many of them have the potential of going into production. My riding will definitely be impacted, as it has been in the past.

I've seen how the community has changed from just having a small mine like BYG Natural Resources Inc. operating and how the spinoffs were reflected in the community of Carmacks -- and also with Ridel. Many miners have approached me and asked me questions regarding access to their claims. The question I'm asking is with respect to roads. I understand it's not in the minister's portfolio, but it is about mining.

My question is about the Casino Trail. Work has been done in the past to survey it out. Some slashing took place and this was basically a major highway that could have gone in. It didn't go, but right now there is a lot of interest, basically, close to the end of where the road is now, up near Prospector Mountain. There are all the Freegold properties that Bill Harris has bought up and has proven this past summer with a lot of potential there. I've driven past that -- I did mention this in Highways and Public Works debate in the past and I mentioned this in my opening remarks to the supplementary budget. I've driven to the end, as far as you can go on Casino Trail, and it is approximately 139 kilometres from the community of Carmacks, which is quite a ways out. In that process, you go via the properties that were very active this summer. It wasn't too bad of a drive. I have to say that the Freegold properties -- the company there -- have done some improvement up toward Tinto Hill and where it was being washed out in the past. But this is considered a government road and it's not maintained in the wintertime. They do minimal maintenance in the summertime.

My interest is to see more maintenance on this road. I would like to know what the minister's position is on making improvements to the Casino Trail for miners to have more access to their claims.

Hon. Mr. Lang: I would not commit to anything here today on maintaining an exploration road that is being used predominantly by the mining companies that explore in the area. We are not averse to talking to companies and working with them to get access to these areas.

To be honest, I've never been on that road. I believe that it was an ATV trail that eventually ended up on the other side of Kluane Lake. As it goes by Casino, I think it continues. There is more interest in Casino, so from the government's point of view I would remind the member opposite that we have to prioritize our money and resources on highways. We have the rural road fund that we're putting in place to address some of these issues, but I could commit on the floor here today to look at it. I can talk to the Department of Highways and Public Works about a rural roads project.

If the member opposite has mining concerns, I would look forward to talking to them to see what their commitment would be and work with the industry to address some of the issues. The roads are exploration roads. Once we as a public government get involved and start doing things, there is a responsibility and it becomes, in essence, a public road. We bring it up to a certain standard and then there is a cost to the taxpayers of the territory, or to the community or to the tax base that is there.

Those kinds of questions could be addressed, but I would commit to talk to the industry out there and, if we can do something that is within our preview financially, then we could definitely look at it.

Mr. Fairclough: It seems that the minister is interested in this and I appreciate that. We would like to see some improvements to this road too, but it does take some lobbying on behalf of the Minister of Energy, Mines and Resources to the Minister of Highways and Public Works.

Here are a couple of things that could make that road improve from where it is right now. If you go about 100 kilometres up, you're going to cross a Bailey bridge that was put in there by government. It is a Bailey bridge. The heavy planks that go over it are rotting away, which is going to affect the base under it. If those planks are not replaced, then it is going to be more of a cost to government to do more of the base work. If anything, this is what I can ask the minister to do on the miners' behalf with the Minister of Highways and Public Works. If that could be done next summer, then that would make a big improvement to the point where you can at least drive a pickup over it and not worry about falling through the bridge.

Now after that bridge, over Revenue Creek and Big Creek and beyond that, there are about four other bridges and all of them are wooden bridges with wooden surfaces. As those deteriorate and they are ready to fall down -- if there are heavier loads that go over them -- then again it is going to cost governments more to either put one in or maintain them. I would ask the minister if he could lobby on behalf of the miners to the Minister of Highways and Public Works if that could be done.

I've gone over those bridges. It's a very narrow road. It's not a four-wheeler road but, to the end, it's about 139 kilometres and you could continue on to Prospector Mountain. I know the minister knows that there is work being done up there. Firestone is doing their work, and that is off about 30 kilometres. There is a whole other group of people who are doing placer mining, and so on, up there.

I ask the minister if he could do that. I will even offer him a trip this summer if he would take me up on it. I will take him up that road to show him what is out there, first of all, and perhaps it will spark more of an interest on the government side to do something about it.

I know the minister is going to bring up the rural roads program. We can't rely on it unless an organization applies for money to make improvements to that road. They've done it in the past to the Mount Nansen Road, but no money has gone into those roads for a long time. If the minister would do that, I would appreciate it.

Hon. Mr. Lang: In answering the member opposite, I know the Minister of Highways and Public Works very well and I work very well with him. I will definitely be working with that individual and lobbying for Energy, Mines and Resources to see if there is an opportunity for the Minister of Highways and Public Works to step out there and put the resources in place to enhance the road.

I remind the member opposite that there are always restraints on budgets and whatever, so these kinds of investments -- regardless of how well I know the Minister of Highways and Public Works -- are things that the Minister of Highways and Public Works would have to take into consideration at the time of any such decision.

But I would recommend to the Minister of Highways and Public Works -- I know him very well, and he likes to travel -- that he takes the member up on his offer to drive the road to do a personal inspection. I am sure the Minister of Highways and Public Works will make the time available. I can't speak for the Minister of Highways and Public Works, but I definitely would think that he would be positive on the opportunity to travel that road in the coming summer, if it's passable.

Chair: Is there any further general debate?

Mr. Inverarity: I have one quick question. Has anyone in your department used tasers?

Hon. Mr. Lang: In Energy, Mines and Resources, do we use tasers? Hopefully not. I think probably not. As inspectors and people out in the field regulating these mining projects, there is a question of safety. Hopefully, we keep ourselves as safe as possible, but I have not heard of a taser being part of the equipment that is assigned to anyone who works in my department.

Now, I'm sure that the Minister of Justice could do an overview of that, if we need it. I personally have never seen a taser, least of all had one used on me. Perhaps the Minister of Justice will bring hers in for a demonstration.

That's on the light side of things. No, I don't think the department uses tasers. I don't know if there's a need for it. It would be interesting to ask the question. I don't know.

Chair: Is there any further general debate?

Seeing none, we will proceed line by line for Vote 55, Department of Energy, Mines and Resources.

Mr. Fairclough: Mr. Chair, I request the unanimous consent of the Committee to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried

Chair: Mr. Fairclough has requested the unanimous consent of the Committee to deem all lines in Vote 53, Department of Energy, Mines and Resources, 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 $1,547,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of $424,000 agreed to

Department of Energy, Mines and Resources agreed to

Chair: Committee of the Whole will now continue with general debate on Department of Community Services. Do members wish to take a brief recess while we wait for officials?

All Hon. Members: Agreed.

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

Recess

Department of Community Services -- *continued*

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 8, *Second Appropriation Act, 2007-08*, Department of Community Services. We will now proceed with general debate.

Mr. Edzerza: I just have a question for the minister with regard to Hamilton Boulevard. My question of the minister has to do with the lack of respect for Kwanlin Dun's final land claims agreement. I know the minister is going to get up and say that this is not a government project, that it belongs to someone else. However, what is important in this line of questioning is to determine how it got to be someone else's responsibility. Mr. Chair, in the *Cooperation in Governance Act* it states very clearly in the preamble that this act is, "Recognizing the unique circumstances in the Yukon relating to the evolution of both responsible public government and self-governing First Nations." It goes on to say, "Recognizing the goal of improving the quality of life for all Yukoners and the benefits that may result from intergovernmental cooperation." The key words here are "intergovernmental cooperation" and they are very important words.

From my discussions with the Kwanlin Dun leadership, there appear to be some very bad tastes with how this project was handled. Chapter 22 of the agreement has to do with economic development initiatives; 13.0 identifies the Yukon asset construction agreement and the Yukon asset construction agreement means an agreement providing benefits for the Kwanlin Dun First Nation, Kwanlin Dun or Kwanlin Dun First Nation firms concluded in accordance with 13.1 to 13.2.1.

Mr. Chair, 13.1.1 states -- for greater certainty -- 13.1 shall only apply in circumstances where the Yukon is a sole -- and "sole" is the important word here -- proponent of the asset construction and the sole owner of the asset.

Now, the minister has already stated on the floor of the Legislature that he did confirm that there were approximately

two years of negotiations with Kwanlin Dun with regard to the economic benefit of the extension of Hamilton Boulevard. Now, somewhere in the process, whether it is that the First Nation requests were something that the government would not honour, or whatever it was, those negotiations came to an end. They broke down. According to my discussions with those from Kwanlin Dun First Nation, it was stated that they weren't even really notified that these negotiations were going to come to an end until after the fact. Now, the question I have for the minister: why did these negotiations come to an end and why was Kwanlin Dun elbowed out of this economic development initiative?

Hon. Mr. Hart: The agreement also states that YACA, Yukon asset construction agreement, is not applicable to joint projects. In this particular case, and right from the start, the application through MRIF was by the City of Whitehorse. It also involves not only the Yukon government but the federal government. When we deal with the federal government, all their contract laws apply in getting their funding.

Also, the Hamilton Boulevard project is, as I said, a city project. It's theirs. When the project is complete, the asset will belong to the city, not to the Government of Yukon.

We are supporting the city within the projects and the terms of engineering and providing assistance where needed, just like we do with many other municipalities throughout the Yukon. In several cases, we provide assistance to smaller municipalities to assist them in their capabilities of putting in a project of a large size. It has gone off very well. I will remind the member opposite that we also did this for the Mayo community centre and that project was completed in a timely manner. It, too, was part of the MRIF process. That project was completed on time and on schedule, as well as within budget.

We did explain the timelines to the Kwanlin Dun First Nation and they indicated they could not change their land boundaries. They indicated that the route through their land just was not possible in the timelines we were discussing with the First Nation. We had discussed moving through their area so it would have direct impact and they could develop their land, but in order to get the appropriate width of road we needed additional land through the easement to get the property done. Our negotiations with the First Nation just proved to be fairly difficult for them to achieve because of their constitution with regard to land use.

They understood the challenges with the route, and they agreed to the new route based on the fact that we ensured that the new route would be accessible to their land facilities at a future date when they decide to develop that land.

Mr. Edzerza: Well, I believe this government could have also developed an MRIF agreement with Kwanlin Dun -- a joint agreement with Kwanlin Dun. Why not? Why did they have to go and use the city as their partner?

I find this almost unbelievable because the government is saying that this project belongs to the city. I would then have to ask the question: why did the government even bother to negotiate if that was the case? Why did they lead the First Nation on for two years, believing that at the end of the day they had an asset construction agreement in place here? This is a big job. It's $15 million. It would have been a very nice job for Kwanlin Dun.

I might add that within the Kwanlin Dun First Nation there are very credible construction companies that could have done this job. That's why it became a very sore spot with Kwanlin Dun. They were led to believe that, at the end of the day, they would be honouring this agreement.

However, I believe that maybe the government looked at this again and said, "Well, we don't even have to negotiate because 13.1.1, the certainty clause, states that if we get somebody else involved, then it no longer meets the requirement of an asset construction agreement." That may explain why the government chose to sit down with the city, develop a memorandum of understanding with them, have them apply for the MRIF and become the proponent of the job, thus making the 13.1.1 clause an issue that the government could use to their advantage.

They then were not the sole proponent of this extension by developing that memorandum of understanding with the City of Whitehorse. They made the city the proponent.

I am going to ask the minister again: if there was no chance of this being a project that would meet clause 13.0 regarding asset construction agreements, why would you negotiate with Kwanlin Dun for two years? Why do it?

Now, because of the way things turned out, there is going to have to be some kind of process to try to mend that relationship, because it has been damaged very severely by the First Nation being elbowed out of this project.

The other thing is that the government had an obligation to write a letter to the First Nation explaining why this asset construction agreement clause was not going to be used. To the best of my knowledge, that was never done.

I will ask the minister again why Kwanlin Dun wasn't involved in this agreement. Does the minister believe that this is going to really be a difficult relationship to mend now that this has taken place?

Hon. Mr. Hart: The member opposite is trying to dig up some kind of conspiracy on this issue and it's not anything like that at all. We have honoured all our agreements with regard to all the First Nations. In this particular case, as I tried to mention to him before, the Yukon asset construction agreement does not apply. The project belongs to the City of Whitehorse, and it is their application and process.

With regard to negotiation with the First Nation, I mentioned to the member opposite previously that we were discussing the route going through the First Nation's land. That was the negotiation that was pertaining to the First Nation, not for the actual Yukon asset construction agreement, because that agreement didn't apply. The Yukon asset construction agreement would only apply to land where the First Nation has the ability to look after the facility.

The City of Whitehorse has the ways and means to look after projects after they are completed by the Government of Yukon. They are responsible for looking after the snow removal, upkeep and maintenance of these facilities. We have had very good relationships with the City of Whitehorse on

projects that we turn over to them. They have followed all the rules and regulations with regard to this facility.

We have discussed this extension to Hamilton Boulevard, as the Member for Copperbelt will tell members, for many years. It's not something that came up in the last 18 months.

We have been working very hard with all the individuals involved in this particular project. Our first discussions with the city were about the extension of the route and what was going to be needed. We looked at the possibility of going through the easement that was already there. The easement was deemed not to be wide enough. We had to discuss things with the Kwanlin Dun First Nation on the alternate route for land easements. That could not be completed in a timely manner due to difficult issues with regard to the Kwanlin Dun's land requirements in their constitution.

We are very much out there. We have provided a Yukon asset construction agreement with the Kwanlin Dun First Nation. We have negotiated with them in several other areas where we are dealing with the Kwanlin Dun First Nation on Yukon asset construction agreements. We completed one in Whitehorse Copper. We worked with them on that.

With regard to the member's statement about the Kwanlin Dun First Nation, they had the ability to bid on the contract just like everyone else. The contract was open and in place. I am more than willing to provide the open tender for that facility.

Mr. Edzerza: Well, I believe there is no dreaming of a possible conspiracy here. This is how the First Nation views what was done to them with respect to this project. They were negotiating for two years in good faith, believing that, at the end of the day, there was going to be a possibility of meeting their first really major challenge to this part of their agreement -- the asset construction agreement.

Now, what I want to get on the record here is this: because of the way the government has handled this project, I believe that this is going to be a consistent way of avoiding the asset construction commitments this government has with the First Nation.

It's unfortunate, because this section was actually put in there to really develop a strong, sincere working relationship with the First Nation -- and one of the biggest First Nations in the heart of this city. Now, with the First Nation feeling that they were "elbowed out" of this project -- and those were some of the words that came right from the First Nation. They said they were elbowed out of this project and were very disappointed that the government would lead them on for two years -- to have them believe that, yes, this is a project that would fit their requirements.

I don't buy the minister's comments that this is a city project, a city initiative, and they are going to maintain the road. Well, it just so happens that every road that's constructed in this territory, at some point in time, gets turned over to whomever.

Kwanlin Dun could have had a lot more involvement in this project. Say, for example, the First Nation was given this project to take on, and they successfully completed it, it would be turned over to the city.

It doesn't belong to Kwanlin Dun; they just did the work -- they built the road. It's as simple as that. So there is no such thing as the minister is trying to imply here that it's a city road -- the city maintains it, so they have to build it, or be in charge of the project. The government is the one that should be in charge of this project. I believe that Kwanlin Dun has a legitimate concern here that, if this is the example that's going to be set by the government, then they have an awful lot to worry about with regard to this final agreement.

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

Chair: It has been moved by Mr. Edzerza that we report progress on Bill No. 8, *Second Appropriation Act, 2007-08*.

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. 8, entitled *Second 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.

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

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

Motion agreed to

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

The House adjourned at 5:26 p.m.

The following Sessional Paper was tabled November 20, 2007:

07-1-43
Securities Act (Bill No. 41): French text (Hart)

The following document was filed November 20, 2007:

07-1-36

Investment review by the Auditor General of Canada: letter (dated November 20, 2007) from Sheila Fraser, Auditor General of Canada to Mr. Mitchell, Leader of the Official Opposition (Mitchell)