

Whitehorse, Yukon**Thursday, December 13, 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.

Introduction of visitors.

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Taylor: Mr. Speaker, I have for tabling the 2006-07 annual report for the Yukon Arts Centre.

Hon. Mr. Cathers: I have for tabling today the Yukon Child Care Board annual report for April 1, 2006 to March 31, 2007.

I have also for tabling the Yukon Hospital Corporation consolidated financial statements as of March 31, 2007, and a statement of revenue and expenditures of the health care insurance programs, health services branch, effective July 31, 2007.

Mr. McRobb: Mr. Speaker, I have for tabling a few documents.

Mr. Hardy: Mr. Speaker, I have for tabling a document for the Minister of Health and Social Services.

Mr. Edzerza: Mr. Speaker, I have a document for the Minister of Justice.

Speaker: Are there further documents for tabling?

Reports of committees.

Petitions.

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT, in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, the Public Accounts Committee hold a minimum of four regular meetings each calendar year, at the call of the Chair, in addition to other meetings as requested in writing by two or more members of the committee.

I give notice of the following motion:

THAT, in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, this House allow members of the public to appear as witnesses to make presentations.

I give notice of the following motion:

THAT, in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, this House establish reasonable time limits for questions and responses during Committee debate on departmental budgets.

I give notice of the following motion:

THAT, in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, this House direct the Government House Leader to set the order of budget debates of departments according to the amount of money in departments, from most to least.

I give notice of the following motion:

THAT in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, articles 75 and 76 be removed from the Standing Orders.

I give notice of the following motion:

THAT in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, this House set a limit on the time for each member's questions when witnesses are called to the House.

I give notice of the following motion:

THAT in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, this House adopt a rotation of private members' motions based on the number of private members, rather than on party affiliation.

I give notice of the following motion:

THAT in the interest of making the proceedings of the Yukon Legislative Assembly more accessible, accountable and relevant to the Yukon people, this House adopt fixed sitting dates for the commencement of the Legislature under article 73 of the Standing Orders.

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

THAT it is the opinion of this House that

(1) since the onset of industrialized fisheries in the 1950s, the resource base for entire communities of large fish species from the tropics to the poles has been reduced to less than 10 percent;

(2) overfishing by commercial trawlers threatens our marine ecosystems, the sustainability of the fishing industry and the livelihoods of people dependent on the resource;

(3) by-catches of salmon, particularly chinook salmon, caught by pollock trawlers off the coast of Alaska have been identified as a key factor in the closure of salmon fishing in the Yukon;

(4) without steps to mitigate the effects of trawlers fishing in the Pacific Ocean, salmon stocks are in danger of collapse;

(5) the Pacific Salmon Treaty signed in 1985 by Canada and the U.S. states that both countries must "maintain efforts to increase the in-river run of Yukon River origin salmon by reducing marine catches and by-catches of Yukon River salmon"; and

THAT this House urges the federal Minister of Fisheries and Oceans to advocate for Pacific salmon and the people whose subsistence lifestyles are dependent upon salmon fishing, by pushing for restrictions on pollock fishing in the waters off Alaska, as well as effective, enforceable penalties.

I give notice of the following motion:

THAT it is the opinion of this House that

(1) the Government of Canada's obstructionist manoeuvres at the Bali conference on climate change should not distract from the work the Yukon government must undertake;

(2) the Yukon government has no plan for reducing greenhouse gas emissions in its own operations;

(3) the Yukon government has no transportation policy or plan to reduce greenhouse gas emissions from vehicles, which are the largest source of greenhouse gas emissions in the territory;

(4) the Yukon Minister of Environment has abdicated responsibility by minimizing Yukon's emissions as being "almost immeasurable";

(5) the Yukon government's focus on adapting to climate change must be strengthened to include measures to mitigate climate change; and

THAT this House urges the Yukon government to accelerate a climate change action plan by immediately instructing its departments to look for ways to reduce greenhouse gas emissions and energy consumption.

Speaker: Are there any further notices of motion?
Is there a ministerial statement?

MINISTERIAL STATEMENTS

New program for children with disabilities and their families

Hon. Mr. Cathers: Mr. Speaker, it gives me great pleasure to rise today in the Assembly to inform all members of a new program that will be offered through Health and Social Services to benefit children with disabilities and their families. Through its many programs, the department has either paid for or offered an array of services to children with disabilities and their families over the years. This response has met some needs while not meeting others. This new program, however, brings everything together under one roof and will coordinate, expand and enhance services.

In last year's Speech from the Throne we committed to a future where children with disabilities would receive the therapies and support services they need to fulfill their potential and live active and happy lives. Today I am announcing how we will meet that commitment.

According to the participation and activity limitation survey numbers released last week, an estimated 4.4 million Canadians, or one out of every seven, reports having a disability.

For the first time, the three territories were included in the survey, and the Yukon rate of individuals reporting a disability is at 13.5 percent.

We need to think of the children today to help improve their lifelong potential. We have spent considerable time researching delivery models across Canada and have selected the Alberta model family support for children with disabilities program as a framework. Our program will build on existing services and will allow us the flexibility to meet the individual needs of children and families. Because our numbers are small with a large variety of unique disabilities, we need to have the ability to respond to the changing needs.

Ultimately our goal is to assist and support families to care for and support the development of their children with disabilities and give them greater involvement in choosing the therapies and supports for their children. We will provide coordinated access to services and interventions and support early interventions to maximize potential.

We will also strongly support the inclusion of children with disabilities in community life. We've involved the Child Development Centre, the Department of Education, Autism Yukon, other agencies and, most importantly, parents of children with disabilities in the work that has taken place on developing the program.

We anticipate that all the preparation work and establishment of program guidelines will be completed and the service formally up and running by April 1, 2008. The new program will include expanded supports, for example: provision of more respite; aids to assist children in participating in community and recreational activities; expanded behavioural therapies for children with FASD, autism and other disabilities that require behavioural interventions; the creation of a multidisciplinary team that will review treatment plans using both Yukon experts and outside professionals.

In addition, Mr. Speaker, we will increase training to improve the capacity of frontline workers, Health and Social Services staff and local professionals to meet specific needs and to work with individuals whom the families hire themselves to care for their children.

Down the road we anticipate hiring both a speech-language pathologist and an occupational therapist to work on the therapy component of the program. We have done a lot of work and we have a lot more ahead of us, but ultimately those children and their families will benefit now and in the long run. To have a disabled child is a challenge, and one that parents meet willingly and gladly. Parents are advocates for their children and we believe that with this new program we will reduce the additional load that parents of children with disabilities must shoulder. I'm proud of what we've done here today and thank you.

Mr. Mitchell: I'm pleased to rise today on behalf of the Official Opposition to reply to the Health and Social Services minister's announcement of this new coordinated approach to assisting children with disabilities and their families.

My colleagues and I are certainly in support of this initiative. It is a positive initiative and speaks to what governments

should be doing. We have stated in the past that Yukoners with disabilities face special challenges in our society. We recognize that more needs to be done to ensure that people with disabilities and people with differing abilities can participate fully in our society, so we're extremely glad to hear that this new approach will build on existing services, coordinate with non-government organizations and existing agencies, and allow the flexibility to meet individual needs.

As we all know, for any program to work we need to have the involvement of all stakeholders. The biggest stakeholder is the family. They need to have the biggest involvement. Doing this gives parents the input and control they need to help determine the kind of therapies that work best for their children.

Fire alarm sounds

Speaker: This House now stands in recess until we deal with this fire alarm.

Recess

Speaker: I will now call the House to order. I'll just consult with the Clerks.

The Leader of the Official Opposition has some time left in his reply to the ministerial statement. Leader of the Official Opposition, you have the floor, please.

Mr. Mitchell: Thank you, Mr. Speaker. Was it something I said? I'd like to reserve my do-over for Question Period if I might.

I'm pleased to rise today on behalf of the Official Opposition to reply to the Health minister's announcement of this new approach to assisting children with disabilities and their families. My colleagues and I are certainly in support of this initiative; it is a positive one and it speaks to what governments should be doing. We have stated in the past that Yukoners with disabilities face special challenges in our society. We recognize that more needs to be done to ensure that people with disabilities and people who are differently abled can participate fully in our society. We are extremely glad to hear that this new announcement of a coordinated approach will build on existing services and allow the flexibility to meet individual needs.

As we all know, for any program to work you need to have the involvement of all stakeholders. The biggest stakeholder in this case is the family, and they need to have the biggest involvement. Doing this gives parents input and control that they need to help them determine the kind of therapies that work best for their children.

Mr. Speaker, we do have a couple of questions that come out of hearing the ministerial statement today. While the minister has announced that the program and the services will be formally up and running by April 1, 2008, he has also mentioned that down the road we anticipate hiring both a speech-language pathologist and an occupational therapist to work in the therapy component of the program. We would ask if, in the minister's response, he could give us a little bit of a definition of when we might anticipate these new positions being hired.

"Down the road" -- the road can be a pretty long road and we'd like to have a little bit more detail of the timing.

Also, if the minister is able to tell us how many new positions, as opposed to simply coordinating existing services, the department anticipates that they will require to provide these services, it would be helpful.

In summary, we will support this announcement, and we will support any programs created that will ultimately benefit Yukon families, especially Yukon children and children with disabilities.

Thank you.

Mr. Edzerza: I am pleased to rise today on behalf of the third party to respond to the minister's statement on children with disabilities. This is mostly good news. We support the ideas of the expansion of programming, coordination of access to services, efforts to support the inclusion of children with disabilities in the community, expanding support programs, such as respite, aids for recreation, more therapy and a team of experts reviewing treatment plans. These are all good things.

However, specifics on how these goals are to be attained are not in the statement. Preparation work will not be completed for nearly another four months. The amount of budget commitment isn't mentioned. They will hire a speech-language pathologist and an occupational therapist down the road. How long is the road? Five kilometres or one million kilometres? Is this just another pre-announcement before the next pre-announcement?

The third party has some questions for the minister. How are disabilities defined? What disabilities are eligible? What is the range of disability eligibility? What about adults with disabilities? The minister mentioned FASD in his ministerial statement. Does this mean the government is finally recognizing FASD as a disability?

Will residential care be involved? What amount and type of respite is envisioned? What about parents who need in-home assistance to care for a disabled child? What about the expense for families of transportation, medications, special clothing and diet, home renovations, et cetera? Is there any financial support in this area?

How will parents who need the latest information on their child's disability and interventions be supported?

The education of disabled children is also very important. The more often children are spoken to and read to in a nurturing environment, the more they respond and develop. Isolation and lack of stimulation can stunt and negatively impact any child's development. Early stimulation and intervention programs are critical for children with disabilities. How will the Department of Education be supporting disabled children in preschool and in the schools?

Not all disabled children are born with their disabilities. The causes are many and varied, ranging from accidents to disease. Will the definition of "disabled children" include an age range and causes other than being genetic? In some instances, the sad truth is that the disability is preventable. What

is the department doing about education, about preventing disabilities?

Modern technology can assist many disabled children to be more independent and would allow them to become more self-sufficient, thereby enabling them to contribute to society rather than be dependent. What provisions are made in the expansion of programming for the purchasing or loaning of medical equipment or educational supports such as voice-activated computers, et cetera?

Many parents of disabled children have found that they have had to move outside the Yukon to receive the support they need. We trust that expansion of the program for disabled children here will eliminate that sad development.

Thank you.

Hon. Mr. Cathers: It is a pleasure to rise and respond to the comments of the members of the Official Opposition and of the third party with regard to our announcement today of enhanced services for children with disabilities and the creation of the unit within the Department of Health and Social Services offering supports to children with disabilities.

In answer to some of the questions that members asked, I can tell them that the supports are going to be reviewed by a multidisciplinary team. The focus with the announcement today is to build on the enhancements that in the last mandate we provided to families of children with autism and to those children to build on that both for children with autism and children with other severe disabilities as well as providing other supports to children with less severe disabilities. A key focus will be assisting parents and those who have severe disabilities, including cerebral palsy, muscular dystrophy and Down syndrome. This also was a key election announcement and commitment. In 2006 we committed to moving forward with this program and to establishing this unit. I'm pleased that we will be doing so and we'll have the program up and running on April 1, 2008.

With regard to the members' questions as far as when occupational therapists and speech therapists will be hired full-time, I can inform the members that a key part of the program will be helping parents access the appropriate therapies for their children and involving them in the decision of what is the appropriate therapy and programming for their children, and that the program is specifically designed to allow contracting of services. With regard to the two positions mentioned, it is foreseen that, likely in 2009-10, there may be a need to hire a full-time staff. In the interim they would be contracted or, in some cases, potentially the existing resources with the Department of Education or the Child Development Centre would be used.

Mr. Speaker, the key focus here is increasing the involvement and the choice that parents have in controlling and choosing the appropriate therapies for their children, in helping their children, to the greatest extent possible, to become fully participating members of society, and, as indicated by the Member for McIntyre-Takhini, helping them -- in some cases it is possible through the appropriate behavioural and physical interventions -- to overcome to a great degree the disability that they have. This varies depending on the disability, but that is the

ultimate objective -- to help these children overcome their disability to the greatest extent possible so they can become fully participating members in society who do not have their ability constrained by their disability.

There are three new positions associated with the support in the initial year. There is also the ability in the structure to provide in-home assistance, therapy and equipment. It is not, at this point, a program with a residential component as asked by the member opposite. This is a service that is focused on therapeutic supports, assistance, equipment, et cetera, appropriate to each child and each disability with the involvement of a multi-disciplinary team of professionals, assisted by staff of the department and focusing on the involvement of parents in choosing the appropriate support for their child.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Government investments

Mr. Mitchell: I have questions for the acting finance Minister regarding Yukon's ill-advised investments into asset-backed commercial paper trusts, Opus and Symphony. Our investment of \$36.5 million in these trusts was meant to be short-term but has been frozen due to the liquidity crisis that has developed because of a loss of investor confidence in these trusts and others like them.

The minister has stated on several occasions that we would have a resolution of this problem on December 14 when the so-called Montreal Accord will announce what will become of these trusts. We are now hearing numerous reports that we will not be seeing a make-good resolution whereby everyone gets all their money back. Instead investors will be asked to roll their funds over into new long-term investments, for terms as long as nine years. In addition it appears that in some cases there will be a loss of principal amounts as well.

Can the minister tell this House if her officials have learned whether our trusts are among the ones that may have to share in the losses and whether we are being asked to convert our investments into a much longer-term investment?

Hon. Ms. Taylor: Our government -- this government -- prides itself on the very fine financial investments that we have been making over the last number of years. We pride ourselves on the financial leadership that we have been able to show over the last five years, and I refer to five consecutive years of a clean bill of financial health as seen by the Auditor General of Canada.

Just earlier this week Stats Canada released its study of the state of finances showing that Yukon's per capita ratio of excess of financial assets over liabilities in fact led the nation again for another year, last year. We even beat out oil-rich Alberta, Mr. Speaker.

The member opposite makes reference to "ill-advised investments" by our Finance officials. For him to actually say that these decisions were ill-advised is to also say that his counterparts in the Government of Ontario were also ill-advised, as were Alberta -- they were ill-advised -- and Canadian Pacific Railway, Canada Mortgage and Housing Corporation, Toronto

Hydro, Ontario teachers' pension, Air Canada -- certainly in the hundreds if not thousands of organizations and corporations throughout North America and indeed Europe. Mr. Speaker, as I've articulated --

Speaker: Thank you.

Mr. Mitchell: Mr. Speaker, the minister talks about five clean audits. If this government were to lose \$36 million but accurately report that they've lost it, they would get a clean audit, but it wouldn't make it good news.

Mr. Speaker, this government has made many grandiose announcements of future large capital projects and programs. They promised there would be a new correctional centre by 2011. They're studying whether to refurbish or rebuild F.H. Collins Secondary School. They intend to spend \$31 million plus on the Robert Campbell Highway. They're promising to build a new multi-level health facility in Dawson, and will research building a new health care facility in Teslin. There's consideration of a new ambulance station near the Alaska Highway. They've studied the possibility of a new school in Copper Ridge, but they're going to study it for a few more years. The list goes on, Mr. Speaker.

They made many promises, and Yukoners want to believe in those promises. Can this minister tell this House which of those projects will have to be deferred or cancelled if Yukon has \$36.5 million frozen for up to nine years?

Hon. Ms. Taylor: Mr. Speaker, we are, in fact, awaiting the restructuring process's unfolding by December 14. Now, I can certainly appreciate the member's anxiety in reaching this restructuring. So are we, as the Government of Yukon. We are looking forward to a positive resolution as the outcome of these particular investments, as are many other governments across this good country, as are pension plans, agencies and so forth.

We have been fully transparent on this issue. We have fully disclosed these transactions, as articulated in the Public Accounts 2006-07, despite the fact that these transactions took place after the fact. Mr. Speaker, we are not alone. We are joined by many, many others in this good country. We have, in fact, made very good investments over the last number of years. Of the last three years, I will articulate that \$18 million in interest accrued from those particular investments -- interest that has enabled the Yukon government to make further investments, in particular into social assistance increases, child-care, and children with disabilities, a new unit that was just recently announced by the Minister of Health and Social Services.

Mr. Mitchell: I think the minister just told us that misery loves company. She is in good company that is hoping to pull a large rabbit out of a hat tomorrow.

This government has failed to demonstrate any vision or ability to manage the finances of this territory. They have failed to be prudent with the money entrusted to them. They failed to be good stewards of the public purse, and they have failed the people of the Yukon who put their trust and faith in this government.

For weeks the opposition has tried to hold this acting minister and this government accountable, and day after day after

day all we get are the same briefing notes and the same list of past audits. Where is the accountability and responsibility in that, Mr. Speaker?

Under investigation by the Auditor General and with December 14 only one day away, my question for the acting minister is this: what plan has this acting minister developed to deal with impending cuts to programs and services as a result of either losing taxpayers' money outright or having it tied up for years? Or is the plan to keep stumbling from day to day and from crisis to crisis?

Hon. Ms. Taylor: It is very interesting to note that the member opposite, the Leader of the Liberal Party, again has been making references to ill-advised decisions. The member opposite would like to make reference as to whether or not these investments were made from a policy perspective. In fact, it was the Liberal administration that first made these investments back in 2001. Call it what you will -- whether or not it's third-party backed assets or bank-sponsored assets or particular investments, it's the same structure. It's the same backing, the same liquidity facilities; it's the same single rating agency that was used -- same, same, same.

If the member opposite wants to talk about ill-advised decisions, I would make reference to the qualified audits that the Liberal administration received. I refer to breaches of the *Financial Administration Act* that were certainly made on two occasions during their watch in 2000 and 2001.

Our government has been making very good investments. We have been taking the good advice of the Finance department officials. We will continue to do so, and we look forward to tomorrow.

Question re: Climate change action plan

Mr. Elias: The Yukon Party spent its first term in office denying that climate change was even an issue. Only a few short years ago the former Leader of the Yukon Party also denied the link between burning fossil fuels and climate change and called on the Yukon to abandon the Kyoto Accord.

The way our Canadian government conducted itself in Bali was simply shameful and embarrassing. It is clear that this Yukon Party government supports their obstructionist Conservative counterparts in Ottawa by refusing to sign a letter to the Prime Minister and, most importantly, failing to represent Yukoners' interests at the most important climate change conference of our time.

When is the government going to make this a priority? When will we see a climate change action plan?

Hon. Mr. Kenyon: This government certainly takes climate change very seriously and appreciates that fact that unfortunately, while we have precious little to do with the cause, we certainly have the greatest effect and we're well aware of that. We certainly should do everything we can in terms of automotive conservation, fuel conservation, programs of the Yukon Housing Corporation to increase the efficiency of homes, and this sort of thing.

We're very happy to have two Environment Yukon representatives who attended the Conference of the Parties to the Kyoto Protocol, or COP 13, in Bali. We were part of the Canadian delegation, and CYFN representatives were also attending.

We look forward to getting the information they will be bringing back about the good discussions they had, and we will continue with our climate action plan.

Mr. Elias: I do wish I could stand up and give credit where credit is due, but let's get some facts straight. The Yukon Party government has refused to attend several national and international meetings on climate change. They have refused to go to Washington and educate on the permanent protection of the Porcupine caribou herd. They have refused to bring forward a current state of the environment report, something they are required to do by law, and they have refused to challenge Alaska on its mismanagement of the chinook salmon fishery, which leaves Yukoners with no harvest.

So this minister's words are simply not backed up by action. Will the Acting Premier commit today that when we reconvene in a few months, there will be a climate change action plan in place?

Hon. Mr. Kenyon: The main instrument for implementing the climate change strategy will be through the development and implementation of the Yukon government's climate change action plan. The development of the climate change action plan is currently underway, as the member opposite well knows, with a draft expected in the coming weeks. Public consultation will take place during January and February of 2008 and a final plan will be released in late spring 2008.

We're very proud and pleased to be proceeding with this and to have been well-represented by good staff members in Bali and to continue to work with the First Nation of Vuntut Gwitchin in their effort to support the Porcupine caribou herd.

For the member opposite, as he well knows, I will be in Washington in a few short weeks to have meetings with the U.S. government officials and in the State of Alaska to meet with them. It is unfortunate that the member opposite chose not to get involved in those discussions.

Mr. Elias: Our Yukon is under attack by climate change. Yukoners are on the battlefield and ready to go. But do you know what is missing? This Yukon Party government to lead the charge.

Let's go over their report card. The Environment minister has lifted the conservation and public safety regulations on the Dempster Highway, putting the Porcupine caribou herd at further risk. Unbelievably this Yukon Party government had no political presence in Bali, Indonesia, to represent Yukoners' interests. There is no climate change action plan. There is no standardization of water quality in the Yukon and they won't even consider a harvest support program for Yukoners.

This government continuously fails to meet expectations and is seriously deficient. Therefore, they get a D in all categories. When will this government stand up and fight for the environment and Yukoners' place in it?

Hon. Mr. Kenyon: For the member opposite, I think perhaps he should consider changing to decaf.

In terms of the Dempster Highway and the corridor --

Speaker's statement

Speaker: Order. It's not within the bounds of this House to make personal comments about a member. Just keep it to the issue, please. The minister has the floor.

Hon. Mr. Kenyon: Thank you, Mr. Speaker.

In terms of some of the things that he mentions with regard to the Dempster Highway, for his information our department constantly monitors the herd, and I believe that most of them never got anywhere near the Dempster Highway.

In terms of Bali, we were well represented by very good bureaucrats and members of the Department of Environment, our climate change specialist. We are very pleased to have them over there. Yes, we would have sent political representation. But unfortunately the member opposite, when asked in this House to pair, declined to answer. So, in the absence of any answer, we were not able to go. The member opposite quite knows that.

In the Pacific NorthWest Economic Region is the place --

Some Hon. Member: (Inaudible)

Hon. Mr. Kenyon: Mr. Speaker, could you perhaps rule on who has the floor here? If the member opposite is interested in hearing answers, perhaps he should be quiet and listen -- a novel concept.

I had made the offer to involve the member opposite in the Pacific NorthWest Economic Region to meet, and he refused.

Question re: Fleet vehicle supply contract

Mr. Hardy: Yesterday in Question Period, the Minister of Highways and Public Works made the following statement: "On this side of the House, we deal with everyone equally."

A few moments later he said, "We will work with all Yukoners."

The problem we have on this side of the House is that the minister's words are not in sync with the minister's actions.

I'd like to explore exactly what the minister's words actually meant. Is the minister saying that any vendor who is not happy with what they were charged for late delivery on a contract will now get the same deal as a local car dealer who got the Premier to go to bat for him? Is he actually saying that?

Hon. Mr. Lang: Mr. Speaker, I'd like to take this moment to wish everybody in this House a merry Christmas and a happy new year.

Now, going back to the question at hand, this side of the House is open -- the government of the day. If any of his constituents have an issue on how they were charged or the amount of money they were charged and there are questions, it certainly will be addressed inside the department. That's exactly how government works. If his constituent or any Yukoner feels that they were not dealt with properly or they were penalized improperly, then the government is open to discussion, and that is the long and the short of it, Mr. Speaker.

Mr. Hardy: Well, Mr. Speaker, I also wish the member opposite a merry Christmas, and best wishes for his family.

However, we have some serious issues here, and we have to still deal with them. I'd like to stay in the Legislative Assembly right up until Christmas to deal with them.

The minister said he deals with everyone equally. It would be more accurate to say that some people are more equal than others under this government. To use the minister's words from last week, if you accost the Premier, the Premier will act as a

messenger to the minister, and the message the minister will give through his department is, "Come on down, let's make a deal." -- another famous Canadian. Since this issue came to light two weeks ago, what effort has the minister made to contact all Yukon businesses that have paid late delivery penalties and tell them they have now qualified for a 50-percent rebate?

Hon. Mr. Lang: In addressing the member opposite, I've said many times in the House here, if any Yukoner who has dealt with the government on a business transaction feels that in some way they were not heard or they were penalized or they were not treated in a proper fashion, I recommend and encourage Yukoners to come back to this government. There's nothing wrong with that. That's called dialogue. The dialogue is that if you feel -- Yukoners -- that you are going to be penalized unjustly, then come to your government. That is what our government is here to do.

Mr. Hardy: Obviously the minister actually supports political interference.

The minister made another interesting statement yesterday and he just made it again today. He said, "If another Yukoner has an issue, I would certainly recommend they talk to the department." That's not the way this one was done.

The dealer who was charged \$45,000 for late delivery on 10 trucks did speak to the department. He was told to phone the minister. The Premier's political interference, which this minister thinks is perfectly acceptable, has hamstrung the public employees who deal with the contracts. They don't know what to do now. The minister has tossed the rule book out the window and public servants have no choice but to say, "We don't know what the rules are any more."

What is this minister going to do to restore the integrity and credibility of the government's contracting process and to keep it free from political interference in the future and support the workers?

Hon. Mr. Lang: What this minister is going to commit to do is to review the contracting and procurement rules that are in place today and modernize them for that exact reason. We are in the process of doing that as we speak here in the House.

Question re: Victim services/family violence prevention unit

Mr. Hardy: I have a question for the Minister of Justice. This issue has come to our attention again from a very dedicated former employee who has left the government and now feels safer in speaking out. The strategic plan for correctional redevelopment that came out about a year ago contains a number of references to a client-centred correctional system.

One of the very first pages states that victims need support to rebuild a sense of safety and security. On page 9 it talks about creating an environment that encourages staff and volunteer development. Given all these commitments, can the minister explain why legitimate concerns of front-line staff in the victim services/family violence prevention unit were completely ignored in a recent management decision to move victim services to another location?

Hon. Ms. Horne: Mr. Speaker, this is an operational issue that I'm not privy to.

Mr. Hardy: Well, it is an operational issue; it is about victim services that this minister had better be aware of because this is ongoing.

Until this summer, the victim services/family violence prevention unit and the sexual offenders treatment programs were in the same area. Here is a little history for her. This allowed workers in these treatment-based programs to deal with case management issues in a coordinated way. The physical layout was convenient and welcoming for clients of victim services, especially those who have to contend with young children.

Victim services have now been moved upstairs where there is no reception area for victims and families. It shares space with programs that are quite unrelated to each other. Staff have expressed concerns about safety, confidentiality, storage of records and the physical separation from colleagues they have worked with successfully for years. What is the rationale for splitting up the services that fall under the same manager and that have had a proven record of success in serving clients and working with non-government agencies in a coordinated and collaborative manner?

Hon. Ms. Horne: I reiterate that this is an operational issue. Before any office is set up, the location and what is available to that office is very carefully studied. If this is a matter of urgency to him, I will look it up and get back to him.

Mr. Hardy: I wish the minister knew what was going on in the department that she is paid to manage. She's the minister. The minister has promised a correctional system that is second to none, yet this kind of arbitrary decision, which ignored the expressed wishes of the front-line workers, has undermined employee morale and created a situation that may be a step backward for clients of the victim services/family violence prevention unit. There is a related concern that calls into question just how committed this government is to addressing the needs of victims of crime. She doesn't even know about it.

As part of the correction reform process, a program and service advisory committee was established. It included representatives of the Justice department, First Nations and a number of non-government organizations. Can the minister explain why this important committee has no representation from either victim services or the family violence prevention unit? Maybe she knows that.

Hon. Ms. Horne: Mr. Speaker, we were just criticized for micromanaging a department. We do not micromanage. We leave these things up to the operations of the department. If the member opposite has information that we are not privy to, perhaps he could come forward.

Question re: Whitehorse Correctional Centre rebuild

Mr. Inverarity: Mr. Speaker, I have some general questions for the Minister of Justice. On several occasions I have asked this minister about the progress toward constructing a new correctional facility. The response from the government is, "A jail will be constructed by 2011", or "The interim space plan will be ready by March 31, 2008, and will address the current space problems." Mr. Speaker, the existing building is condemned. The jail is overflowing. The clients are complain-

ing, and the interim space plan will not increase the available space in the jail. Will the minister tell us when construction is about to begin?

Hon. Ms. Horne: Mr. Speaker, as I have reported here earlier, in 2008. We have accepted DGBK Architects to prepare the schematic designs, which I have reported, and those will be completed very shortly. We are on schedule to open the new facility in 2011.

Mr. Inverarity: Mr. Speaker, I have asked the minister on a few occasions about measuring the effectiveness of SCAN and the street crime reduction team programs. There is no doubt these programs are important to Yukoners. My concern, Mr. Speaker, is that we have no way of knowing if we are, in fact, reducing crime or just relocating it from one neighbourhood to the next. The minister has said that the measure of success is to look outside and see if the streets of Yukon are crime free. I'd say she'd better have another look, Mr. Speaker. Has the government given any further consideration to establish performance measures to prove we are getting good value for our money?

Hon. Ms. Horne: I do not remember making any quotes about looking out a window to see how our crime reduction is doing.

I would like to address the question from the member opposite and his comments and concerns about crime in our territory. We know that substance abuse is the biggest contributor to criminal activity in our territory. Let's think about what we are doing. Drug traffickers are in it for the money and for them to make money, they need a supply system. They need a market and they need a distribution system. We are working with the RCMP; we are resourcing them.

Mr. Inverarity: I've asked several questions about legislative reform as well. Last spring this government closed down debate on a minor amendment to the *Human Rights Act*. I've asked on a number of occasions about this government's commitment to review the outdated act and have received the same response: "This government is committed to exploring options, consultation and creating the best justice system in Canada."

Unfortunately for Yukoners and the Human Rights Commission, nothing has happened. This government has delivered yet another list of empty promises and failed commitments.

When will the minister inform the Human Rights Commission that work is actually begun on the *Human Rights Act*?

Hon. Ms. Horne: I don't know where the member opposite's head has been, which hole in the sand it has been in. The *Corrections Act* consultation has begun and will result in a new regulatory framework that will be the foundation for the best correctional system for the next decade. Our *Corrections Act* consultation team and our First Nation partners are working together to carry out this important consultation. To do something right takes time and thought, and that's what this government is doing; we are doing it the right way.

Thank you.

Speaker's statement

Speaker: I would like all members to keep in mind -- please do not personalize the debate.

Question re: Cabinet minister, resignation request

Mr. McRobb: This final question on the final day of this sitting is a very serious one. It is time to address the loss of public confidence in the Minister of Energy, Mines and Resources. The sitting began with a spot land debacle in which applicants were forced to sign a letter blaming the Paulsen decision. Then came his failing grade of D on the audit report card, failure to uphold his promise about lower power bills, failure to address the frequent power outages, failure to properly consider the net metering bill, failure to adequately address the genetically engineered crop issue, failure to properly handle the college endowment lands, failure to ensure proper survey of lots sold at the Whitehorse Copper subdivision, and more.

What does the minister intend to do about the loss of public confidence in him?

Hon. Mr. Cathers: As Government House Leader, I am compelled to respond to the member's approach. It's very disturbing to see that the member has not brought a little more accuracy to his comments on the floor here.

The Minister of Energy, Mines and Resources and the Minister of Highways and Public Works, of course, are the same individual. In fact, this minister has an excellent record of delivering on initiatives that matter to Yukoners, on working with his department to improve, as they have through Energy, Mines and Resources, the time in processing the average spot land application, resolving files that have been backlogged for literally decades under previous administrations. This minister has gone to work on that.

Within Highways and Public Works they are working on continuing to improve the management processes with the Property Management Agency, acting on the recommendations from the report that they requested from the Auditor General on how to improve that. The minister has an excellent record and we are proud of this minister and the work he has done with his officials in those departments.

Mr. McRobb: Mr. Speaker, this minister has been caught on other botch-ups such as the parked fleet of snowplows, the boiler inspector crisis, and his political interference into the contracting process, which continues to domino throughout our business community.

In the spring sitting he failed to resolve the Shallow Bay lands dispute. He failed to properly consult First Nations on land dispositions, a matter that is now before the Supreme Court. He failed in his original Minto power deal, and he failed to provide a sufficient supply of new residential lots in Whitehorse, causing a housing crisis.

Mr. Speaker, it is time to take stock. In the first time for my 11 years plus in this Assembly, I am compelled to ask the ultimate question. Will the minister, for the public good, do the honourable thing and submit his resignation?

Hon. Mr. Cathers: On behalf of the government as House leader, I'm compelled to respond to the member's tone, to the member's lack of accuracy, to the member's personalization of debate, to the member's failure to reflect the facts of the strong record of deliveries by this minister both in the previous mandate and today through his Department of Energy, Mines and Resources and through the department that he now has in

this mandate -- the responsibility for Highways and Public Works. This minister has an excellent record. We'd be happy to compare it to the record of any minister for those departments in any previous government. It stacks up very well indeed, as evidenced by action -- improvement of processing, improvements to things such as the *Subdivision Act* before us, another initiative through the good work of this minister. The Member for Kluane should hang his head in shame for his remarks.

Mr. McRobb: Mr. Speaker, this is a very serious matter, and we deserve to hear from the minister himself. This is unpleasant for me to deal with, as well, especially at this time of year. However, we truly feel his resignation is needed to maintain the public trust. The list of failures gets longer with the Holly Street lands incident, the forestry reserve debacle, the Fish Lake lot fiasco, his bad example of neglecting permits for landscaping in his own backyard, and more -- lots more. It's time to deal with the cumulative impact.

Just this week in Nunavut, a minister was asked to resign, and he did resign in the interest of maintaining public confidence in the government and for the good of people in that territory. Yukoners deserve no less. Again, will the minister do the right thing and table his resignation?

Hon. Mr. Cathers: Mr. Speaker, let's cut to the chase. The reason the Member for Kluane is going after this minister is the member has recognized that it is in large part due to the excellent work of this minister and the Department of Energy, Mines and Resources that, rather than have the territory's economy in the toilet -- put there by the NDP, handle flushed by the Liberals -- this economy today, the Yukon, is in strong economic hands.

Some Hon. Member: Point of order.

Point of order

Speaker: Member for Kluane, on a point of order.

Mr. McRobb: On a point of order, Mr. Speaker, I just heard the Government House Leader charge me with a motive, and that's contrary to House rules, Standing Order 19(g), where it says "imputes false or unavowed motives to another member". This is a clear case of that violation.

Speaker: Member for Lake Laberge, on the point of order.

Hon. Mr. Cathers: Mr. Chair, I believe this is merely a dispute among members.

Speaker's ruling

Speaker: From the Chair's perspective, there is no point of order. It's a dispute among members. However, the metaphors that the Government House Leader has been using have been ruled out of order, and nobody brought this to my attention. However, those types of descriptions in this Legislative Assembly have been ruled out of order before.

The Hon. Government House Leader has the floor.

Hon. Mr. Cathers: In concluding, I would again note that the testimony of mining exploration alone being over \$100 million, of the Yukon's population growing, of the economy being strong and, rather than having the only economy being an exodus of the Yukon population and a U-Haul economy, the

fact is today we actually have a shortage of trades. This is testimony to the work of the Minister of Energy, Mines and Resources and his department.

We stand by this minister. Perhaps the Member for Kluane is simply embarrassed that, having been here longer, he has done nothing.

Speaker: The time for Question Period has now elapsed.

MATTER OF URGENT PUBLIC IMPORTANCE (Standing Order No. 16)

Mr. Hardy: Pursuant to Standing Order 16(1), I intend to rise today after Question Period to move that Standing Order 75 and 76 be suspended and that the House continue to sit until Thursday, December 20.

The reason I'm making this request, which I think is very legitimate and needs to be made, is I believe it's a matter of urgent public necessity that the current sitting be extended to allow public scrutiny of a number of disturbing issues relating to the government's stewardship of public finances and, specifically, the role of the Premier and the Minister of Finance in these matters.

There are a few issues driving this and they all point to financial mismanagement, from our perspective. Of course, as you know, the Legislative Assembly has spent a tremendous amount of time discussing the decision around the \$36.5 million.

The opposition members, both the Liberals and the NDP, have asked this government time and time again about that investment and what is going to happen. It's very interesting that, unfortunately, some indication of what is going to happen to this investment is being made tomorrow. I'm not pointing fingers at anyone setting that up; that's out of the control of this Legislative Assembly. However, it does indicate that maybe we should stay engaged in the Legislative Assembly until after that decision; we're talking about a substantial amount of money that could be locked up for quite a few years and affect the future of this territory. When it is an urgent matter, we should be in this Legislative Assembly discussing that.

Of course there is also the internal audit on contributions to NGOs that needs to be discussed. We haven't had the time in this Legislative Assembly to go into that in any detail. We do seem to have a problem with getting the Public Accounts Committee up and running to take a look at this. I'm very concerned about that.

There are politically motivated deals on contract penalty assessments we have been discussing over the last couple of weeks, in regard to bringing this issue forward. That meeting in regard to what we seem to be calling the Metro Chrysler deal that was cut, which violated agreements, happens after the Legislative Assembly is closed. That's not serving the public well.

We need to be in the Legislative Assembly to find out what this government is planning for how they deal with this, because there are now other vendors coming forward and asking for the same deal. We want to know what this government

is going to do. Are they going to continue to operate in this manner or not?

There are massive cost overruns on the Watson Lake extended care facility. We haven't had the opportunity or time to explore why and what is going on with this government's financial management around that. There is a 300-percent overrun on the highways project at the Mount Sima cut-off -- 300 percent. This government needs to be held accountable.

There was the waste of money on the railway study, the Dawson City bridge and other studies that are now just sitting on the shelf. We are talking about close to \$7 million for studies that are going nowhere. This government should be held accountable for that. We need to stay in the Legislative Assembly and deal with those issues.

There is the fact that there is no vision, no control and no accountability to the taxpayers being expressed to the Legislative Assembly. Until there is a change of attitude in this Assembly, we need to stay here. We need to make changes within the Legislative Assembly so we are all more productive and can get to the bottom of this.

I heard the previous speaker from Kluane in Question Period asking for a resignation. Well, maybe we don't have a high enough standard set in this Legislative Assembly, and we have to debate that as well.

I called for the Finance minister to step aside if he cannot guarantee the \$36.5 million of taxpayers' money. I called for him to resign. If he was so confident that he could assure that this was a good investment --

Speaker: Leader of the Third Party, your five minutes are now up.

Hon. Mr. Cathers: This is the second time the member has stood up on a motion that he claims to be of urgent and pressing necessity. It is the second time that this simply does not meet the qualification. The member is simply, from the government's perspective, performing for the camera, looking for a political --

Speaker's statement

Speaker: Order please. The Chair has asked members not to personalize debate. We are in the final stretch, presuming this matter of urgent public importance doesn't go ahead. We are in the final stretch so let's treat each other with some civility.

Hon. Mr. Cathers: I respect your ruling and do apologize for straying across the line of the Standing Orders with my remarks. Simply put, I would have to point out that the member's assertion and the assertions of certain members of the Official Opposition are themselves extremely inflammatory. They are, from the government's perspective, not only uncalled for, but unduly personalizing the debate.

The members know full well that this government practises the highest level of accountability, that this government has pulled in the Auditor General to review practices of previous governments and has asked the Auditor General to take on additional responsibilities for review, such as the request made

by me, as Minister of Health and Social Services, for the Auditor General to take on responsibility for Yukon Hospital Corporation, which is now the case.

The government has also increased the resources to its own internal audit functions to demonstrate to the taxpayer the highest level of accountability and to engage the critical review that we believe previous governments were afraid to do. They were not willing to engage that criticism, after the fact, of how governments may improve its procedures. We have done so. We are taking the highest levels of accountability.

The member, in bringing forward this motion in the closing days of the sitting is -- I'll respect your ruling.

I think the member's motion is not based in need. I'm trying to respect your ruling, Mr. Speaker, and that has constrained me from saying what I wish to say on that. I think that the member is doing it from a motivation that does not quite reflect what the letter indicates and is not focused on the need for debate but, rather, is focused on simply making a political statement, from the government's perspective.

As any member does, the member has the right to do so. From the government's perspective there is no need for a motion of urgent and pressing necessity and no need to extend the sitting. Even after this Assembly closes, members will continue to have the ability to represent their constituents, write letters to ministers, make statements to the press, write newsletters to their constituents and make press announcements if they feel criticism is due to the government and they feel debate is necessary. I'm quite confident they will continue to do so.

This has been a long session for members. We know that certain members have travel booked -- and I'm referring to members opposite, not those on this side -- and we respect them doing so. It's Christmastime, Mr. Speaker. This is not a motion of urgent and pressing necessity, and I would simply wish members a merry Christmas.

Mr. Mitchell: I'm going to rise to support this motion. For the information of the Minister of Health and Social Services, I have travel booked and I think it's more important that we be here and discuss the public's business than worry about our travel plans.

This motion is being brought forward to address two specific issues. Both issues have been discussed at some length in this sitting. I say "discussed" because they have been discussed but not resolved. The first is the \$36.5 million in frozen investments and the second is the Minister of Highways and Public Works' interference in a contract.

The question I'm asked most often in the street is this: what is happening to our \$36 million in frozen trusts? That's usually followed by some unparliamentary words about what the Premier may have been thinking when he made these investments, and we can't repeat them.

The House leader spoke about full disclosure and the highest level of accountability. In the interest of full disclosure and the highest level of accountability, I'm surprised the government didn't ask to extend, by its own volition, the sitting.

Actually, I'm not surprised because this has been typical of how this government has been operating. Now, the Montreal

Accord is supposed to be announced tomorrow. We should get some word about the future of our money, our investments. I think there should be a full debate about the outcome and how we got to that point. If that means we're here for a few more days, I can support that.

A story in today's *Globe and Mail* says that losses could range from nothing to 50 cents on the dollar for some of these trusts. The public deserves to know if we've lost money, or if we will continue to have it tied up, and they deserve to hear an explanation from their government about what it intends to do about it.

We're talking about a third of our surplus. A lot of money is on the line. It could impact the future construction of a new jail, a new F.H. Collins Secondary School, the \$31-million announcement for work on the Robert Campbell Highway and other capital projects.

If the government is not prepared to support motion, it lays bare how hollow the Yukon Party promises of accountability really are. So let's hope this government does the honourable thing. Let's remember, the government is currently being investigated by the Auditor General as to whether or not these investments may have contravened the *Financial Administration Act*? The Auditor General's investigation is continuing.

Now, Mr. Speaker -- and I'm going to be careful how I word this -- in a perfect world, the Premier would take part in these discussions next week, should they occur. We all know that for health reasons that may not be possible. I do have some discomfort with the fact that the Premier may not be able to be in this House to defend his actions. Regardless, we are talking about a lot of money -- \$36.5 million -- and I believe Yukoners want a full discussion of how much, if any, is lost to us. It should be much clearer next week after the results of the Montreal Accord are announced tomorrow and the acting minister can speak to them. So for this reason alone, we think it's worth reconvening next week.

With respect to the car dealership issue, it's clear that the government is embarrassed about it and would prefer it went away. That's why a departmental briefing on it was cancelled this week and postponed until this sitting is over. The government is trying to avoid scrutiny.

Some Hon. Member: Point of order.

Point of order

Speaker: On a point of order.

Hon. Mr. Cathers: The Leader of the Liberal Party is imputing motive for a departmental action, and I believe that is clearly contrary to the Standing Orders, not to mention inaccurate.

Speaker: Member for Kluane, on the point of order.

Mr. McRobb: On the point of order, Mr. Speaker, this is merely a dispute among members and the government is obviously sensitive about this matter.

Speaker's ruling

Speaker: Actually, I rely on the honourable members to advise me whether it is or it is not a point of order, not to make the point of order for me.

From the Chair's perspective, there is a point of order. It seems, from the Chair's perspective, that the member was imputing motives; I ask the honourable member not to do that. The Leader of the Official Opposition has the floor.

Mr. Mitchell: Thank you, Mr. Speaker. A departmental briefing on it was cancelled this weekend; it was postponed until this sitting is over. This government does not like its actions to be scrutinized. The Highways and Public Works minister, day after day, has refused to meet with members of the media to explain his actions on this issue. There are also unanswered questions about the Premier's role in this affair. The Highways and Public Works minister has simply referred to him as the "messenger".

I want to thank the public servant who came forward to blow the whistle on this affair -- on the political interference. There remain many unanswered questions about this affair, and other companies are starting now to come forward, demanding the same special treatment.

So again, a loss of confidence in the impartiality of government is being raised in the public's mind. Our caucus has expressed the view that the minister should resign over this issue; it's the straw that broke the camel's back, so to speak.

Speaker's ruling on Matter of Urgent Public Importance No. 2

Speaker: The member is done. Pursuant to Standing Order 16(5), the Chair shall now rule whether the request of the Leader of the Third Party is in order.

In his letter to the Chair, the Leader of the Third Party indicated his intent to request that the ordinary business of the Assembly be adjourned so that he can move that Standing Orders 75 and 76 be suspended and that the House continue to sit until Thursday, December 20.

The request for leave is not in order. Standing Order 16(10) says, "A debate on a matter of urgent public importance does not entail any decision by the Assembly." However, suspending Standing Orders 75 and 76 would entail a decision by the Assembly. It would not procedurally be possible, therefore, under Standing Order 16, for the House to reach a decision the Leader of the Third Party is seeking. Should the member wish to see Standing Orders 75 and 76 suspended, the proper procedure is to ask for unanimous consent pursuant to Standing Order 14(3) while the Speaker is in the Chair.

The House will now proceed to 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: Order please. Committee of the Whole will now come to order. Before we proceed with the business today, the Chair has a statement about an incident that took place in Committee of the Whole yesterday.

Chair's statement

Chair: Yesterday in Committee of the Whole the Leader of the Official Opposition, in the course of participating in debate on Vote 15, Department of Health and Social Services, used the term "shell game" with regard to the manner in which the Minister of Health and Social Services answered a question. The Chair would like to note that the term "shell game" is not parliamentary, as it implies a deliberate deception on behalf of members, contrary to Standing Order 19(g).

Do members wish 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. 44 -- *Act to Amend the Income Tax Act (2007)*

Chair: The matter before the Committee is Bill No. 44, *Act to Amend the Income Tax Act (2007)*.

Hon. Mr. Cathers: Thank you, Mr. Chair. During my remarks at second reading I explained the purpose of this bill in some detail, so I will be brief now to allow members to ask questions and to expedite the procedure at debate today.

I'm pleased, of course, to be introducing the *Act to Amend the Income Tax Act (2007)* to incorporate the Yukon child tax credit and the Yukon child fitness tax credit, as well as recognize the additional cost for families with children with disabilities and allow an increased credit amount for those families.

This is in part due to the changes implemented by the federal government this year to mirror that. Without these changes there would be a negative impact on Yukon families. In fact, by making this change they will see a reduction both in their federal and territorial income tax. Collectively Yukoners with children will pay on an annual basis \$1 million less in taxes as a result of this legislation.

With that, Mr. Chair, I look forward to comments from the members of the opposition.

Mr. Mitchell: Having spoken to this at second reading, I don't have a lot to add now. I'll say that we in the Official Opposition approve of this act and the changes to the *Income Tax Act*. We do recognize that it is largely to conform to changes in the federal legislation. While we're happy to see that the Yukon government is matching the federal tax credit for Yukon parents with the Yukon child tax credit and it's good to see that there is a form of Yukon education in the fitness youth tax credit, we still would have liked to have seen the government go further. The minister mentioned \$1 million collectively on behalf of Yukoners -- and when you say it that way it sounds like a large sum, but based on the information that came

out in the initial news release announcing this, the \$500 tax credit sounds good, but I believe the example given was that it translates, on average, to \$35.20 per child. If that is the case, I've already used the example of it equating, perhaps, to a new bike helmet or hockey helmet. We know that expenses incurred by Yukon families in the areas of fitness and recreation are quite a bit more than that. We know that organized sports like hockey are very expensive. We know that participating in skiing programs and any other form of athletic endeavour is very costly for families, particularly for families that have several children participating, so we would ask the government to at least consider going further in the future.

I would also ask the minister, when he is on his feet, if he can explain exactly which activities these will apply to, which would qualify. For example, would it be considered a form of fitness to participate in the Northern Lights School of Dance? I would think it might be, but I'm not certain. If the minister could give us some examples; it's obvious that if you're participating in hockey or skiing, that is applicable.

We think that families tend to incur expenses on behalf of their children participating in sports, recreation and the arts. There are some forms of the arts, perhaps drama, painting and others that, unlike dance, might not be considered as applicable under this legislation. We would encourage the minister to look at broadening that in the future to support those children who have made the decision to pursue artistic endeavours, as opposed to sports. I know that there are some tremendously successful artists, playwrights and others who have grown up in this territory, and we would like to see their efforts supported as well.

Other than that, I don't really have a lot of questions. I will let the minister answer those and see if others arise.

Hon. Mr. Cathers: To correct the member on some of the numbers he mentioned -- the Yukon child tax credit amount of \$2,000 per child relates to \$140.80 per child per year under territorial tax. When combined with federal tax, it's an annual savings of \$450.80 per child per year. This, of course, is another step. Members will recall our debate on the announcements we made that the Yukon government has increased the Yukon child benefit, raising it from a previous level of \$37.50 per month per child to a new level of \$57.50 per month per child -- a \$20 per month increase -- and raising the threshold of family income level from a previous level of \$25,000 to \$30,000.

Through a number of initiatives -- the two I mentioned and the increase, of course, to the childcare subsidy for low income families -- we are taking a number of steps in a number of areas to assist families with children, particularly those of low income. Steps such as this tax credit will provide increased tax relief, as well, to those families.

With regard specifically to the child fitness tax credit, the Yukon tax credit is up to \$500 per child. Combined with the federal portion, it means a total tax savings per child of \$112.70 per year per child. It is part of a savings initiative -- \$100 in the pockets of families. A \$100 reduction in taxes is significant, particularly for those of low income. It is an incentive to help them. As far as the proposed definition of a pro-

gram or prescribed physical activity, this includes an ongoing supervised program suitable for children in which substantially all the activities undertaken include a significant amount of physical activity that contributes to cardio and respiratory endurance, plus one or more of muscle strength, muscular endurance, flexibility and balance. This definition will cover many sports, as well as other children's recreational programs that involve significant physical activities, such as dance lessons. It is specifically mentioned in the criteria.

In addition to the above definition and in order to recognize the many ways in which children are enrolled and participate in organized physical activity, the income tax regulations will provide that programs are eligible for the tax credit if they are at least eight weeks, at a minimum of one session per week or, in the case of children's camps, five consecutive days, provided, in the latter case, that more than 50 percent of the program time is devoted to physical activity.

I hope that answers the member's questions. The criteria are fairly broad. They will not apply to everything. I think the federal government has done a good job of designing it to be reasonably broad to accommodate a wide range of activities focusing on ensuring that the activities do have, for a significant period of time, the requirement for physical activity and to take one more step in providing an incentive for families to have their children enrolled in such activities and to provide further tax relief here. So again, the reduction through the Yukon's changes amounts to \$1 million collectively and, of course, although that does spread around, we think that a \$1-million tax relief for families is a good thing.

Mr. Mitchell: Mr. Chair, I do thank the minister for answering the specific question regarding, for example, participation in the Northern Lights School of Dance programs. Just for clarification, the minister was correcting the numbers. If he will refer to the Blues of December 6 at second reading, I certainly recognize that there were two programs here, and I actually said they potentially come to \$140.80 per child. I was referring to the Yukon child fitness tax credit of up to \$500, which the minister's release did say would translate into a realized net savings of \$35.20 per child. I think he has just mentioned \$112.50 by lumping it together with the federal component, and I was referring to the Yukon component. Those numbers actually out of the minister's own release, so certainly I was relying on his numbers.

The Health and Social Services minister is acting on an income tax measure here today. I'm sure he is probably privy to as many articles and studies as I am in terms of the positive steps toward brain development and learning that occur from participation in the arts as well as fitness and sports. I am hoping that the minister will consider, in the future, broadening or bringing in a different measure to accommodate those families whose children have chosen to pursue the artistic path as opposed to the athletic path. Both are valuable in the development of children. Many children do both, which can create a financial challenge for families.

It is not meant as a criticism, but rather as constructive suggestions. I look forward to the minister's response.

Hon. Mr. Cathers: As pointed out, the total amounts in here are the parts. The total Yukon tax savings for families is \$1 million when combined with the federal portion of tax relief to families. The total savings to Yukon families as a result of the federal action in this area and our action in this area will amount to roughly \$3.5 million per year in tax relief to Yukon families. We see this as a very positive step forward, recognizing the member's points and recognizing that we have acted on a number of fronts and in a number of manners. There is a wide range of programs and, in this case, taxes that have an effect on families and children. We have taken several steps in this sitting alone to address those needs by increasing the childcare subsidy by an average of 70 percent for families currently receiving that childcare subsidy as well as increasing the eligibility threshold for those families by increasing the Yukon child benefit by \$20 per month from a previous level of \$37.50 to a new level of \$57.50 -- and also through these changes to the *Income Tax Act*.

With regard to the member's comments about arts programs, I will take those comments under advisement and consideration. I would also take the opportunity to note that, through the good work of the Department of Tourism and Culture, there is a significant amount of funding for arts and for culture and it has increased under this government. It does support some of the programs. I can't speak specifically to which programs are supported and in which manner through funding from Tourism and Culture and through arts funding. It isn't my department. I'm sure the minister responsible can provide further information on that. I can tell the member opposite, as I hope he's aware, that there is significant funding in this area. In fact, the government Web site will provide a detailed list of significant enhancements for arts and culture and for youth investment, as well, to support a great many areas here.

Through a number of initiatives and steps, including the tax relief proposal that we have in front of the Assembly today, we are taking action to help all Yukoners reduce the burden placed on them and on families and, in this case, to cut taxes.

Chair: Is there any further general debate?

Seeing none, we will proceed clause by clause through Bill No. 44.

Is there any discussion on clause 1?

Mr. Mitchell: Mr. Chair, I would request the unanimous consent of the Committee to deem all clauses and the title of Bill No. 44, *Act to Amend the Income Tax Act (2007)*, read and agreed to.

Unanimous consent re deeming all clauses and title of Bill No. 44 read and agreed to

Chair: Mr. Mitchell has requested unanimous consent to deem all clauses and the title of Bill No. 44, *Act to Amend the Income Tax Act (2007)*, read and agreed to. Are members agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 1 to 8 deemed read and agreed to

On Title

Title agreed to

Hon. Mr. Cathers: I move that Bill No. 44, entitled *Act to Amend the Income Tax Act (2007)*, be reported without amendment.

Chair: It has been moved by Mr. Cathers that Bill No. 44, entitled *Act to Amend the Income Tax Act (2007)*, be reported without amendment.

Motion agreed to

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

Department of Health and Social Services -- continued

Chair: Committee of the Whole will now proceed with Bill No. 8, *Second Appropriation Act, 2007-08*, Department of Health and Social Services.

Mr. Edzerza: I am going to start today by just giving a quick summary of where the discussion went the last time we addressed this issue.

I started by talking a bit about grandparents' rights and how important it was for this to be part of the *Children's Act* review and be put into legislation to ensure the rights of grandparents.

I also talked about the number of First Nation children in care. I believe approximately 67 percent of children in care are First Nations. I wanted to know from the minister if that number has increased or decreased or if it has remained the same.

I also asked the minister about policies at Whitehorse General Hospital with regard to patients being allowed to sign themselves out. I know the minister may say that the hospital is at arm's length and has a board; however, I raise this point for the people who may be listening to this or the hospital administration that may listen to this or read the Blues. I think it's very important now to really take a more serious look at patients being able to sign themselves out, regardless if their health has deteriorated to a point where they shouldn't be out of the hospital.

I believe that some incidents that have taken place with regard to people signing themselves out and then being found deceased in the local area is not acceptable. I believe that the administration needs to look at, and maybe reconsider, the policy of someone being able to have the authority to release themselves from the hospital without a doctor's permission.

Hon. Mr. Cathers: In beginning to respond to the Member for McIntyre-Takhini, I'd like to note that, while appreciating his concerns and those of the family of the individual who checked himself out of Whitehorse General Hospital and passed away, I would urge the member to think very carefully about what he is urging when asking that the hospital have the ability to keep someone there against their will.

Confining people against their will is a very serious matter in this society. There are very clear and specific terms around such a severe action because, whether it's at a health facility or in another area, depriving someone of their free will and the freedom to leave of their own volition is a very serious matter and should not be undertaken lightly.

There are specific requirements and restrictions on the ability of police officers to restrain somebody, to keep them in custody -- requirements regarding how long they can keep

them without formal warrant for arrest, how long they can hold them against their will.

In terms of somebody being held because of mental health issues, there is legislation in place, encompassed under the *Decision Making, Support and Protection to Adults Act*. Related to those powers, we have the Mental Health Review Board and the requirement for the involvement of a psychiatrist. What the member should not lose sight of is that restraining someone against their will is a very serious matter. There are times within society when we recognize it is required, but to enter into it lightly or to give those powers lightly, to expand those powers to additional individuals, raises a number of very important civil liberties questions that relate to the very fabric of our society and the fundamental rights and freedoms provided under the *Canadian Charter of Rights and Freedoms*, dating back within our society for many years, many beginning in 1215 with the signing of the Magna Carta.

These are very serious things and, in recognizing that, I also want to indicate my sincere sympathy for the family of that individual. It is, of course, the subject of a review by the coroner at this time, as those matters are handled, but my understanding is that the individual chose to leave of his own free will, was advised not to do so, but the power to restrain someone against their will, as I have reminded the member, is rare and not to be undertaken lightly.

Now, I'd like to move on to another area, in answer to the member's questions. The member tabled a letter requesting an update and asking certain questions. In answer to the member, I have a letter that I will read excerpts from it for the edification of the House. I will also table it for the member here

The member asked about the policy on the number of foster children per home. The policy limits the number of children in care in a foster home to four. Exceptions are made under special circumstances, with the approval of the manager. Family and children's services manual policy 07.04.01 states, "The number of children in a foster home, including both the children of the family and children in care, should be determined by the stamina, capacities and skills of the foster parents, the physical accommodation of the home and the effect upon the equilibrium of the family as a unit. No foster home is approved for more than four children in care. If the child's worker and the placement field worker are considering placement of a child in a home where there are already four children in care, a case conference must be held, including the placement and support services supervisor, foster care worker and the child's social worker."

The member also asked what the policy is with respect to First Nation foster kids leaving the territory. Family and children's services manual policy 07.04.06, child in care and custody moving with foster parents, and the policy entitled "transfers between Yukon and another jurisdiction", provide directions for children to reside outside of the Yukon in certain situations.

This decision is based upon whether this move is in the best interest of the child in the director's care and custody. Placement may occur outside of the Yukon in the following situations: a child in permanent care custody may move with

their foster family to another jurisdiction; a child may move to another jurisdiction to live in an approved relative's home; a child may be placed in an outside residential treatment facility or specialized foster home to address specific treatment or special needs. In all cases, the child remains the legal responsibility of the Yukon's director of family and children services.

The child welfare authority in the jurisdiction where the child will live is asked to provide formal supervision for the duration of the placement. Family contact continues to be very important and, therefore, regular visits with birth parents or siblings are arranged whenever possible. The Yukon worker remains the primary case manager for any children in care who are living outside the Yukon.

Third, the member asked how many First Nation foster homes are available for fostering children. As of October 2007, there are 15 First Nation foster homes in Whitehorse; in all other Yukon communities there are 21 First Nation foster homes, with one additional home pending approval.

Fourth, the Member for McIntyre-Takhini asked where the department is at with its review of funding arrangements for foster families. I can advise him that a review of that funding arrangement is presently underway.

Fifth, he asked if foster parents who adopt a child still receive the per diem. In answer to the member's questions, foster parents, like all adoptive parents who adopt a child who has been in the director's care and custody, are assessed for their eligibility for adoption subsidy. The month-to-month allowance that makes up the adoption subsidy is based on the income level of the adoptive parents. Adoptive parents may qualify for full subsidy, which is equivalent to basic foster care per diem payments or may be assessed as eligible for a portion or partial subsidy. Regardless of the amount of family income, a special-needs subsidy is available to all adoptive parents who adopt a child who has been in the director's care and custody and who has been assessed as having special needs.

This special-needs subsidy is provided for any special needs that a child may require up to their 19th birthday. Examples of these needs include speech therapy, tutoring, counselling, physiotherapy, orthodontic devices, medication and hearing aids. I trust that has addressed a number of the member's questions. I will send this letter over to him for his review and filing.

I will move on to other questions asked by the member. I would like to point out that the member made reference to the order of debate and the timing of which a department is called and the lack of time. I have to again remind the member opposite that the pace of debate is largely in the hands of the opposition. From discussions at House leaders' meetings and at SCREP -- Standing Committee on Rules, Elections and Privileges -- it is quite clear that the opposition has not managed to reach agreement on allocation of time. This was evidenced by the occurrence in Committee of the Whole with Yukon Development Corporation and Yukon Energy Corporation where a member of the Official Opposition, the Member for Kluane, took up an hour and 45 minutes of the allotted two-hour time, which clearly caused frustration for members of the third party. I would point out that I can understand the frustration of mem-

bers -- particularly members in the third party such as the Member for McIntyre-Takhini -- who, by tradition, follow the Official Opposition in debate. The matters of agreement on allocation of debating time between the Official Opposition and the third party are between those members. The government doesn't control that, nor do I think the members would want us to.

Moving on, I am pleased to advise the members that the draft bill of the new *Children's Act* does address and support custom adoption. The section with respect to custom adoption was developed through extensive consultation with Yukon First Nations as was the entire draft bill. Extensive research was also conducted in other jurisdictions regarding their legislation, policies and practice with regard to custom adoption. There will be further consultations with all First Nations regarding the language of the draft bill and specifically, the section regarding custom adoption to ensure that this addresses the concerns, issues and practices of Yukon First Nations.

That, of course, as the member knows, relates to members of the extended family, including grandparents, in addressing those needs. So I think that the member will receive some satisfaction with the final wording of the bill.

The member asked specifically if grandparents' roles are reflected in the new *Children's Act* and, in answer to that, extended families, including grandparents, their roles and responsibilities in planning, caring for their grandchildren, nieces, nephews and on and on, is reflected through the draft bill, which will replace the *Children's Act*. We believe that grandparents and extended family are key and critical in collaborative planning and support for children in the Yukon, and that is reflected in the draft bill, which is currently out for targeted consultation, as per the arrangement and commitment made between the Yukon government, Council of Yukon First Nations and First Nations.

The member also asked how many grandparents are foster families for children in care and, at the present time, the total is eight.

Further, the member asked how many grandparents have adopted children in the past nine years, and the answer is that five children have been adopted by nine parents, two from children in care and two private adoptions.

Moving on to other areas asked by the member opposite, the member asked about the percentage of First Nation children in care. First Nation children in care are approximately 66 percent of the total number of children in care when this was previously reported. I'm pleased to advise him the number is now lower. At the present time, 58 percent of children in care are First Nation. I agree that the number is still of concern and that First Nation children are still overrepresented in the total number of children in care. However, we are confident that the cooperative and collaborative work that is taking place with First Nations is being effective in reducing the number of First Nation children coming into care and that, as well, through continued partnerships with First Nations and the Yukon government, more children will be supported to be cared for within their parental or extended families and within their communities.

I have indicated previously to the member opposite that, although some changes will occur to this in the *Children's Act*, which is in the draft form -- before the new act comes into place, we revise the child welfare policy and working arrangements with Yukon First Nations to address some concerns they raised in the original consultations beginning the discussion of revising the *Children's Act*. We have already taken action in advance of the final act change.

With regard to placement and adoption of First Nation children, the Yukon government and First Nations are working in partnership in order to support or strengthen families in their ability to care for children. It is family and children's services' mandate, policy and practice that support services are provided to parents to care safely for their children. It is family and children's services' policy and practice that First Nations are contacted and involved at the outset with planning and determining care for the children of their First Nation. If children are not able to remain safely in their parental home, it is family and children's services' policy that first priority is to determine if extended family such as grandparents, uncles, aunts, et cetera, are able to provide for this child without the child coming into the care and custody of the director of family and children's services. Even if a child has been taken into the care of the director, it is family and children's services' policy to determine if there is extended family able to care for the child.

The First Nation and child welfare policy of family and children's services was recently revised in collaboration and extensive consultation with the Council of Yukon First Nations Health Commission, First Nation health directors, and outlines that the priority for the placement of a First Nation child is as follows, unless there is a signed protocol or agreement with a First Nation that states otherwise: (a) with a member of the extended family, (b) in the child's cultural community, as advised by the child's First Nation, (c) with a family that belongs to another First Nation, (d) if none of these options are possible, to place the child in a home where he or she can maintain contact with family and friends and attend the same school.

I have further information with regard to First Nations and child welfare policy. Health and Social Services has been actively and collaboratively working with First Nations with respect to the review of the *Children's Act* and child welfare policy discussions as I indicated. The director of family and children's services and Yukon government Health and Social Services officials have actively been working with the Council of Yukon First Nations Health Commission, including the director of Health and the First Nation Health and Social Services director, with respect to the role and involvement of First Nations where there is child welfare involvement with their citizens.

This has been a very dynamic, collaborative and positive process for all concerned, and it has built on the positive working relationship that was developed through the *Children's Act* revision process. The First Nation child welfare policy in the Yukon government's child welfare manual has been revised to describe the collaborative working relationship with First Nations and Yukon government where there are child welfare concerns regarding First Nation children.

A child's First Nation will be included in planning when child welfare officers first receive concerns with respect to the child and their family. This policy reflects what was already in practice in many communities and honours and goes beyond the commitment that was made by the Premier to the Grand Chief of Council of Yukon First Nations that First Nations would be notified prior to their children being taken into the care and custody of the director of family and children's services, should that become necessary. This policy, however, does not restrict or change the authorities of the director of family and children's services and their designates as required under the *Children's Act* to act in the best interest of the child. If there is an immediate danger to the child's health, safety and well-being, the First Nation will be contacted as soon as possible after the emergency intervention.

Mr. Chair, I think that has answered the member's questions. I'll sit down and allow him to ask some more.

Mr. Edzerza: After listening to the response from the minister with regard to the five questions on the letter, it just reinforces my belief that this *Children's Act* is very outdated. I can't stress enough how some of those responses gave me chills, actually. I would ask the minister to maybe be more specific about the number of foster children per home. The minister stated "four". Is that four with special needs or four foster children who are very manageable and there are no issues whatsoever with the youth? Are they the same amount? If you have foster children who have special needs or in need of a therapeutic foster home, is that number still the same, or is it smaller? Respecting the fact that youth who have need of CATS -- child abuse treatment services -- for example, would you put four children in one home who are dealing with historical abuses, for example, and who are very, very difficult youth to handle?

I want to put on the record again that I'm pleased to hear that there are some discussions going on around children leaving the territory, because I know some families right now who are constituents of mine who have very grave concerns about this area and how they feel so defenceless and helpless up against such a big branch as family and children's services branch, and rightfully so. Most of these families have a very difficult time defending themselves and knowing the process of all the different avenues that you have to take to be able to even have access to your child or to have representation. There is still a real concern there. In fact, just recently, I know of a constituent who moved right out of the territory because of the inability to deal with family and children's services. Rather than stay here in the territory and be constantly monitored and watched and whatever the case may be, the family just moved right out of the territory. Hopefully, things will be better for them in a different jurisdiction.

A lot of the families in Kwanlin Dun feel very helpless in dealing with the family and children's services branch. That's unfortunate because, theoretically, family and children's services branch should be providing assistance and ensuring that the goal is to get the family reunited.

I had one constituent tell me that she was told by her social worker that once the kids are in permanent care, the social

worker no longer had to have any contact with the family. If that is the case, I believe that family and children's services branch are working against the grain and not for the betterment of the people. One would tend to believe that a government service such as family and children's services would definitely be doing everything possible to reunite the children with their parents -- bottom line. That's what should be worked toward, not a goal of finally getting a child so they are in permanent care. I know I could probably talk for weeks on this issue, but I want to stay more focused on the positive side of things and just bring this to the attention of the minister with hopes that he may check into some of these things and give direction to his deputy minister that things have to change. We don't need to wait for the finalization of the *Children's Act* review to take place. The minister right now can tell the department to start honouring every bit of what is in the act right now to its fullest extent. That means working with the families in whatever capacity you have to in order to ensure that the best interests of the child always remain the main focus.

While I'm on family services and child protection services, I would like to ask the minister: what percentage of family services and child protection cases become children-in-care services? If all the family's children are taken into care, does the case remain open under family services or child protection in the hope that a change will come about and the family can have their children back? What percentage of children has been returned to families, and how long does the case remain open after that? What is the policy on the return of children? Those are all very important questions that need some clarification.

I would also like to talk about family services, including children with special needs. What is the number of cases of special-needs children in the region and how are they given service? When the department is determining special needs for children, are they assessed for FASD, for example? If so, what kind of different fostering requirements are needed for a child with FASD? If they are deemed to have special needs, then I believe the foster home parents may require special training to be able to look after certain youth. Is the department doing that? Is the department training some foster parents who have opened up their hearts and homes to kids with special needs?

I know from experience that youths with special needs are very different clients to work with.

There's a lot more commitment. It requires an awful lot more patience and knowledge about how to work with somebody who may have a severe case of FASD.

I will leave that for now and let the minister respond, and then I'll carry on.

Hon. Mr. Cathers: With regard to the issue of the number of children in foster care, as I indicated, policy limits the number of children in care in a foster home to four, but that is a maximum, and the number of children in care is determined by the capacities and skills of the foster parents, the physical accommodation of the home and the effect upon the equilibrium of the family as a unit.

I don't have a specific note in front of me or details in terms of at what level of special need this would affect the number, but I can tell the member that, from the information I

have and have forwarded to him, the assessment is based on how many children are believed by the placement and support services supervisor, the foster care worker and the child's social worker -- they work with the family to determine their needs, to ensure that they're being taken care of adequately. Of course, children with special needs, with increasing special needs, become increasing challenges and that would, of course, at a certain point, result in a reduction in the maximum number of children that could be in a home. But it is a case-by-case issue, both in terms of the ability of the foster parents and in terms of the needs of the child. There is not a blanket answer. It's not a line that's crossed between special needs and a child without special needs. There is a range of disabilities, a range of special needs.

One thing I should mention is the announcement we made today of the establishment of the children with disabilities programming within family and children's services. This will benefit parents and will also be available to foster parents and adoptive parents, where the need exists. It's designed to help families and there would not be an exclusion for adoptive or foster parents. It will be assessed on the basis of need and appropriate support.

One thing I do have to take a bit of issue with is the member's reference to families feeling like they're up against family and children's services. I would again remind the member opposite that the department and staff are there for the child; they are there to help the family. No one should feel they are up against them or that they're a foe to be reckoned with. They are there to assist; they are there to help. Their primary obligation must be to ensure the safety of the child.

For families who abuse their children, they perhaps do feel the department is breathing down their neck, so to speak, and is watching them; but department staff do what they're obligated to do, what they must do, in the interest and safety and survival of the child. If there is a threat to safety, they must take appropriate action.

However, the first steps that are always taken -- unless it is determined there is imminent threat to the child's safety -- is to work with helping the family, with counselling, involving social workers and trying to address the family and having the child safely remain in the home.

The member said that things have to change. I would point out that things have changed. The member has referred to frustrations from the past, and has made comparisons to residential schools in previous debates. I would point out this is not the 1920s or the 1950s: this is the year 2007. The act is very different from what it was at that point in time. The department, staff and programming are worlds apart from what occurred at that time, and the staff do an excellent job of fulfilling their commitments and following the act.

As I indicated to the member, in advance of the *Children's Act* review and the changes to that act, steps have been taken to revise the policy based upon what has been heard from First Nations and stakeholders in this area, from parents and from all those who expressed concerns and suggestions. Constructive action has been taken and the department works cooperatively with First Nations in these areas.

Every effort is made to help families, to reunite them with their children if there is a need for temporary care and custody, and to provide access to the parents if the child is in care and custody, as long as the child's safety is not put in jeopardy. The safety of the child must be the paramount concern. The safety of the child will continue to be the paramount concern and paramount priority in the new act when it is put into place. As much as we respect the importance of family, the children must be kept safe from harm, physical violence and abuse. The member has brought up events in the news recently about a case from Ontario. There are cases where parents take action that threatens the life of their child. If that is felt to be the case, it is absolutely imperative, and will continue to be so, that the appropriate action is taken to protect the safety and the life of that child.

I have to again object to the member's terminology suggesting that somehow the staff members of family and children's services branch are there with a goal to have children in permanent care -- I believe that is the terminology the member used. That is not their goal. They want to have as few children in the care and custody of the director of family and children's services as possible. They want to have those children with their families, but they are compelled to do what is appropriate to ensure the safety of children who are at risk of violence from their parents, from an unstable home situation and a threat to their life or their physical safety.

Mr. Chair, I hope I have answered the member's question. I know that this is a matter of importance to him. I know that he feels a great passion in this area. I know how important this is for families and the fact that at different points in time, particularly decades ago, an action occurred that has caused long-standing frustration for families that have had a family member that was in residential school. There may be a lingering suspicion of the government, but that should not be cast on the staff of today. It should not be cast on the department of today. It should not be cast to reflect on the good work that these people do day in and day out in what is one of the most challenging areas of government policy and program delivery that anyone can engage in.

These are very emotional situations. Particularly where there are situations of abuse occurring, it is not a pleasant situation. It is very difficult for the staff to deal with. They do a good job and I would hope the member would reflect that and temper his comments so that they are not interpreted to reflect on the work that these dedicated individuals do in performing their service to the public.

Mr. Edzerza: Mr. Chair, I can talk from experience. There have been many years of frustration in this area and that is being said from hands-on experience. I'm now in a position where I can question these issues and maybe have someone pay attention to them. As an average citizen you are not heard.

I want to go back to the number of children in care. When the minister stated that it was four -- and if there were some with more special needs, it could drop. At one time, it used to be two and a maximum of three. So I'm wondering if that was still the case.

I want to ask the minister a question with regard to fostering. I want to know from him what the policy is if a foster parent, or parents, is charged with a criminal offence. Do the children still stay in that home?

Hon. Mr. Cathers: I'll have to undertake to get back to the member on that. I can assure the member that if there is any safety issue in a foster home, the department staff would act appropriately and ensure that the child is placed in an alternative location, just as they would do with the parents in place.

As far as whether there is an automatic change based on a criminal charge, that is a question I can't answer off the top of my head. I would have to undertake to get back to the member on that. I would emphasize that I can assure the member that staff does act in this area. If there is any action or change related to the foster parents' actions or their care of the child, or any matter within other areas of their life reflecting on their ability to care for the child, the department staff would take the appropriate action to ensure that the child is not at risk within the environment that we have placed them in to be safe.

Mr. Edzerza: I asked that question because I do know of such a case. I believe impaired driving is a criminal offence. It's a very serious charge. I know some of my constituents have had their children apprehended because they had problems with alcohol. Now, if the foster parent is also charged with impaired driving and the children are not removed from that home, then I think there are double standards here. Biological parents lose their children, yet a foster parent doesn't. There's something wrong with that picture, and I just put that out there, because the minister may want to ensure that these things are not happening today. I don't know if they are. I know it did in the past, and that's why I raise it.

I also want to put on record that I have no intention whatsoever of discrediting any staff member who works in this area, because I do understand and realize how difficult and how challenging it is to work in this area. Any time you're apprehending children from a family, any time you're having to deal with victims of abuse, any time you're having to deal with individuals who have addictions to alcohol or drugs -- any one of these is very complicated -- it can be very stressful, and I commend the people who do go into this field, because it is very, very difficult to undertake, especially if you're working with it every day of the week.

Like I said, I commend the people who do work in it. But some of the questions that I ask -- some of my constituents have mentioned it to me and they've asked me to have some things clarified. This foster question was asked of me: what happens if a foster parent is no better than I am? Do they still get paid for looking after my children? That was a question that was asked of me and it is a legitimate question.

One other question that I have is this: when does a child leave permanent care? Is a policy in place or contemplated to allow children in care to stay in care after 18, if they are attending school? What is obvious is that some youth who have been in care, basically all of their lives, are not able to function on their own at the magic age of 18. I'm just wondering if the government has anything that will continue to assist a young person once they turn 18.

Hon. Mr. Cathers: Some of the questions of the Member for McIntyre-Takhini have been very detailed and technical in nature. I want to ensure that I'm providing him with the correct information. I can tell the member opposite that the Yukon, as with many other jurisdictions, is working increasingly toward recognizing that, for children who leave care, often there is still a need for some involvement and support in a capacity similar to how parents often support children in their early adult life. There is a need for recognition of that.

I believe some of that will be reflected in the new *Children's Act*, but I know there have already been steps taken in that area. However, I will undertake to get back to the member opposite on the details of that. It has been some time since I've discussed this matter in detail with officials. I can't provide that off the top of my head and ensure I'm providing accurate information. I will undertake to get back to him by letter with regard to that information.

The member asked a number of questions that are very detailed in nature. I will provide further information in answer to those questions in that same letter.

Mr. Edzerza: I just have one more question with regard to children in care. At this time I would like to commend all foster parents who open up their homes to children in need. This is a very rewarding service. I believe it is absolutely necessary to have those homes available.

The last question I have in this area is this: are children from communities put in foster homes in Whitehorse or are there adequate foster homes in the communities where there may be a need?

Hon. Mr. Cathers: Again, this is a very operational matter in nature. Efforts are made to have the child in his/her community, where possible, as I indicated to the member in the response and in the letter I provided to him. That includes with foster parents. However, there are times when, for safety reasons, it may be necessary to ensure they are in any community but their home community, which might result in children being moved from communities to Whitehorse in some cases.

As far as to what extent that is due to ensuring safety of the child and to what extent that is due to capacity issues -- again, I have to undertake to get back to the member with regard to that by letter because, again, it is very technical information and is somewhat of a changing matter. It has been some time since I have had an update on the precise details of that area.

Again, as I indicated, it is operational in nature, and so it would not be appropriate for the minister to be involved on a daily basis in trying to manage that area, but simply to do as I have done in the past, by regularly keeping apprised of the situations within that area and receiving updates from officials to better understand the program and ensure that, as minister responsible, I am taking the action necessary to fulfill my responsibility to the public and to support the staff as necessary in that area, as well as to ensure accountability to the public in being aware of what is going on under the department for which I am responsible.

Mr. Edzerza: Mr. Chair, I thank the minister for the answers he gave me today, and I would also like to move into a different area now, with regard to mental health. Now, it's no

secret that recently, over the last year or maybe even as far back as three or four years ago, there was a lot of talk around the communities, within the media and other venues, about victims of mission schools receiving large sums of money. There has been constant talk, over and over, about different issues regarding the mission school era.

I don't know if the minister knows or not, but every time this issue is brought up, it works like a trigger for a lot of people who may be listening to it. It could be the cause of someone immediately going down emotionally, spiritually and mentally, hitting alcohol and drugs a lot harder, maybe increased criminal activities. It could even be an increase in those having to attend courts and go to jail.

With all this increased activity around this area, have there been increased drug and alcohol services to deal with this influx? Did the minister consider hiring extra mental health counsellors while all these different court cases and discussions have been going on around the victims from mission schools?

Hon. Mr. Cathers: With regard to the residential school settlement, I want to again emphasize to the member that, yes, staff members are aware of it and consideration was given to what extent programs would need to be enhanced. I do not have the number in front of me from the 2007-08 mains, but I did indicate to the member opposite at that time -- if he would check *Hansard*, he would see some of the increases to what we have provided in increased capacity to the alcohol and drug services unit. I can't recall the exact date that we discussed it, but I know that we did discuss this matter in the spring sitting. I believe most of my discussion on that topic was with the Member for McIntyre-Takhini, although some of it may have been with other members of the Assembly. If the member has not reviewed *Hansard* from that period, he or his caucus support staff may want to review that and they would find the answers to some of the questions. I did outline that at that time and I believe I did so in some detail.

I will move on to mental health issues. I've said on several occasions during this fall sitting that we've taken a number of steps to expand the mental health services and capacity: the establishment of a rural mental health clinician based out of Dawson City, serving rural Yukon; the current hiring that is underway for a second rural clinician based out of either Watson Lake or Haines Junction to provide similar services in other areas of rural Yukon. We have completed the hiring of a new youth clinician for mental health for Whitehorse. There's the contracting of a second psychiatrist who will provide services beginning on January 1 of the new calendar year, which will effectively double the Yukon's capacity for access to a psychiatrist in that area.

The money that we've offered Whitehorse General Hospital -- or the Yukon Hospital Corporation technically -- for changes at Whitehorse General Hospital to expand their ability to address mental health patients and improve their facilities to address that need as well as the offer of increased support to address operational needs and enable them to hire more staff to assist patients with mental health challenges. So we've taken a number of steps here.

These are not directly due to the residential school settlement, but overall due to the reflection of the need for appropriate mental health services and to expand the service capacity. We've done that. These will continue to provide benefits and reduce wait lists for access to the psychiatrist. For example, this will be significantly improved by having two psychiatrists contracted and on the job. Again, this is something that we've taken a number of steps on.

I appreciate the member's concern, and we are addressing the matter. Also, we're addressing it through the help of Many Rivers Counselling Services, formerly Yukon Family Services Association, which assists by providing counselling under contract with Yukon government in several Yukon communities. They are assisted through a contract in excess of \$1.1 million -- not to mention the additional support that we provide them for running the Outreach van and two outreach workers. This is funding that has occurred in the two years since I took over as minister.

I realize that yesterday would have been the second anniversary of my appointment to this position and, my, time does fly. But we've taken a number of steps in this area. I'm not trying to minimize the member's concern with this issue, but simply point out that, in fact, work is underway. Further work will be undertaken, but significant steps were taken last fiscal year and in this fiscal year.

Mr. Edzerza: One very important question that I'd like to ask of the minister now has to do with land-based treatment centres. I remember quite specifically hearing the Premier publicly comment that the Yukon Party government, if elected, would make it a priority to develop a partnership relationship with the First Nations that have infrastructure in place at present. Just recently I have contacted several of the First Nations and not one of them has been contacted by the government to discuss possible partnership agreements with a land-based treatment centre.

Now, I know the minister is probably going to stand up and say that I, myself, was given this task and didn't do it. However, before he does that, I would like the record to show that it's true, that I was assigned with that task at the eleventh hour, at the end of the mandate, and there was no time to even start to orchestrate and organize meetings with other First Nations. However, the minister has had ample time to have started those discussions.

I was quite surprised when I talked to First Nation chiefs -- in fact, three of them within the last week -- who confirmed that there has been absolutely no contact with them with regard to even beginning to discuss the possibilities of a partnership agreement to get these treatment centres that are in place -- and, I might add, very nice treatment centres -- that have been mothballed for years now. I think it's very timely and the minister could really gain himself a lot of brownie points here by getting on the ball and being sincere with the First Nations. I can guarantee that if everyone who wanted treatment came forward today, the services that are in place right now would never even touch or come close to even touching the number of people who are interested in treatment.

However, they will not go to the Sarah Steele Building. I think the minister could do justice to a lot of individuals who really do want help at this time, just by sitting down and being sincere with the First Nations that have infrastructure in place and saying, "Let's get on with it."

Will the minister do that? Will the minister make it a priority to contact these First Nations that have a very high interest in getting their treatment centres up and running?

Hon. Mr. Cathers: The member has obviously talked to the wrong people because certainly action has been taken and discussions have occurred both through the Department of Justice and the Department of Health and Social Services with First Nations regarding potential partnerships. Work is underway for improving the treatment in this area and creating a land-based treatment centre for substance abuse action.

We will be moving forward on this. Things are still in the early stages. The member is correct. I don't want to spend a lot of time dwelling on the past. The member was tasked with this responsibility. Within a month of being appointed Minister of Health and Social Services on December 12, 2005, it was agreed that the then Minister of Justice, the Member for McIntyre-Takhini, would take the lead on this file. I would point out that, yes, the time was perhaps short before the end of the mandate, but that did not stop me, as minister and through the very hard work and dedicated action of the officials of Health and Social Services, from delivering action in a number of areas. It was possible to engage in discussions. It was possible to begin work.

The member did not do so, but that should remain water under the bridge. It's not the focus of where we are today. We're focused on positive action and moving forward in partnership. There will be steps taken on the land-based treatment for alcohol addictions.

It depends on to whom the member is talking as to whether they would have heard from officials in Justice and Health and Social Services. I hope the member realizes there are 14 First Nations and, when we move forward with a land-based treatment facility, or facilities, that will not be something that involves partnerships with each and every of the 14 First Nations to begin with. We look to ensuring the inclusion and involvement of all, but partnerships will likely be with one or more First Nations, not all 14 in a specific contract or program.

As I said, discussions have occurred. The member said I could gain brownie points in this area by moving forward in a sincere fashion. I assure the member opposite that has never been my objective, and I pray it never will be my objective to simply focus on credit for areas or gaining brownie points, as he refers to it. My focus is on good policy, on taking the appropriate action to address the needs and interests of Yukon citizens and to fulfill the mandate upon which they elected us; taking the action that is appropriate and working sincerely and in partnership with others to achieve that objective and, at the end of the day, delivering results in the appropriate manner to Yukoners, which includes in a program-appropriate and fiscally responsible manner. That will be the focus; that's what we're moving forward on.

I look forward to making announcements in this area in the future. Again, as I emphasized to the member opposite, both the Minister of Justice and I are working on matters related to land-based treatment, and officials of both departments -- Justice and Health and Social Services -- have already done a significant amount of work in this area. We're focused on getting it right, and we will do so with the appropriate partnerships and, at the end of the day, deliver good programming.

Mr. Edzerza: All I have to say about the responses from the minister is never mind 14 land-based treatment centres -- citizens are looking for the first one. The Yukon Party has been the government going on seven years. There still isn't anything to do with treatment centres in sight.

The minister said he's in discussions with First Nations around a land-based treatment centre. I would like the minister to name those First Nations that he has talked to. He stated that I am not talking to the right people. Well, it so happens that I know all the First Nations in the territory; I know who they are. If he can't answer it, maybe the Justice minister should get up and say which First Nations she is talking to and when the first land-based treatment centre is going to become a reality.

Hon. Mr. Cathers: I understand the member is sensitive about this when we start talking about the past and the record and his lack of action on this file. We are working on this matter. We have had discussions with First Nations on this. It would be premature to start making announcements and it would not be respectful to those First Nations to stand up and announce that we're going to be doing something with them when work is still underway between the two departments and between First Nations to see if we can reach an agreement and reach a model that meets the needs of both governments and of the citizens and the programming needs. So work is underway.

I would urge the member to be patient. Unlike the member opposite, we will be delivering on this file. We will be taking the appropriate action. I don't want to engage in too much discussion of the past here. The member knows the record here. That is not our focus here today, but I would urge the member to give us the appropriate time, give officials the appropriate time and recognize the fact that, for example, in the case of Health and Social Services throughout the course of the past year, since the commitment was made in our 2006 election platform to address this matter and since re-election in 2006 when I was tasked with responsibilities in this area -- in that year, the officials who will be involved in delivering and designing programming in this area have been working on major initiatives such as the reform of the social assistance structure, which is leading edge in this country.

The proposed reforms will bring us to a point where we would be the best system in the country. There has been a comprehensive review underway. They've analyzed the Yukon's case history, and they've reviewed the rest of the country. Senior officials, policy people and those involved in program delivery have been very busy on significant initiatives, including related matters that involve things that may seem minor to the member, but require significant work from officials: the increase to the Yukon child benefit, the increase to the childcare subsidy and increases to other areas of childcare.

Officials have been very busy working on these significant changes and actions, and I'm very pleased with what has been done to date. I sincerely appreciate the work that they have done on behalf of Yukon citizens in this area, and I'd urge the member to be patient. We will deliver good work in those areas; we will deliver good work, good programming, good results in the area of improving addictions treatment, including land-based treatment facilities.

The Minister of Justice and officials from her department will be working in a similar manner. They also have been working on a number of significant initiatives: correctional reform, implementation of *Safer Communities and Neighbourhoods Act* and the street crime reduction team, to name but a few. These are areas here and this is mentioning but a few of the areas in both departments where we're acting under the substance abuse action plan, so there is a lot of work going on by a lot of very dedicated people. I'd urge the member to be patient.

I recognize that this is a matter of importance. I recognize that the sooner action occurs in this area, the better, but I would point out that we've already increased resources to alcohol and drug treatment, expanded outreach services through the Outreach van and provided additional funding for outreach workers, stable funding for youth centres, et cetera. These are a number of the areas where this government has acted.

There is increased funding to the Fetal Alcohol Syndrome Society Yukon this year. We have stepped in and committed, long-term, to an additional \$200,000 in funding to the Fetal Alcohol Syndrome Society Yukon.

Work with the Child Development Centre and funding for Salvation Army are just a few examples of the good work that goes on through the Department of Health and Social Services and the Department of Justice, as I mentioned previously, officials of the departments and our NGO partners in these areas. We will continue to work with First Nations as we have done and will continue to do to enhance and improve services.

Mr. Edzerza: I would like to set the record straight. One has to ask why the ministers of Education and Justice were challenged with getting the alcohol and drug treatment centre going. Was it because the minister couldn't do it? I was challenged with the Health and Social Services minister's job. Why? Maybe because I had an excellent record of being able to get things accomplished. Any job that was assigned to me when I was on that side of the House was completed. The justice act review was done in several months less time than what was allotted. I might add that the *Education Act* review sort of went sideways after I left, but it was on track.

The minister can try to put the responsibilities back on me because of my jobs in the past, but I beg to differ. I say that, again, it was at the eleventh hour that the assignment was given. The election was called only a few months later and I wasn't in the government at that time. As much as the minister keeps saying this is water under the bridge, he constantly raises it and wants to keep bringing it up. We can sit here and talk about this for the rest of the day, and I can guarantee you at the end of the day that I think my message will get out to the people very clearly and plainly.

The minister never answered the question. I am going to ask the minister again: what First Nations did you talk to? It's a very simple question. If the minister can't answer it, maybe he should let the Justice minister answer it.

Hon. Mr. Cathers: I indicated to the member opposite the reason why it would not be appropriate for us to pre-announce an agreement when the agreement is not in place yet; discussions have occurred.

I know the member is very defensive on this topic. I would point out that when he, as a member of the then government, took responsibility for moving forward with land-based treatment, there were at least eight months remaining before the election was called. We know that the member had challenges working with the Chief of Kwanlin Dun First Nation.

I know the member is sensitive on this subject; I am laying out the facts. The member knows I am laying out the facts. The member is well aware that in fact he requested taking the lead on this file because he wanted more involvement in the land-based treatment area. He felt that he could deal with it more effectively or more in a manner suited to his desire than could the Minister of Health and Social Services who preceded me. In fact, at that point, both ministers were working on the file.

Today it has moved again to the situation where both Justice and Health and Social Services are in cooperation working on this file, where both officials of the departments and the ministers responsible are cooperating to achieve the right results for land-based treatment and to move forward on this. We can stand here and debate the past as much as we like. I know the facts, and if the member would search his memory, he will as well and will recognize that we should move on and talk about the future in here. We've stepped forward in a number of areas by expanding services for alcohol treatment and mental health counselling and supports. We will continue to do so. At such point as we have agreements finalized with the First Nations, with whom discussions have occurred, we will make that announcement and we will jointly make the announcement. The member is well aware -- or should be -- of the importance of respecting First Nations and the fact that when announcements are made, First Nations typically wish to -- as the Yukon government does -- have involvement in the drafting, timing and the details of that announcement.

I'm not going to make any pre-announcements here in this Assembly. That is not part of good government-to-government relations; that is not part of cooperating with them appropriately. We will follow the appropriate process, we will work with them in partnership and we will deliver results as we have in the past -- so we will also do on the file related to land-based treatment centres. There will be services in place at that point and they will be the right services; they will be services that have not previously been in place in the territory. We will do so in the appropriate fashion as soon as the good work of officials has been completed and the partnership agreements are concluded.

Mr. Edzerza: I would like to correct the record on one point the minister made. I believe my challenges were more in line with working with the Premier, not the first chief and not the Chief of Kwanlin Dun First Nation.

I won't go into detail on that issue, but if the minister wants me to, I'll gladly disclose everything that went on when I was on that side of the House. I'm not ashamed to stand up here and tell the truth about anything.

I believe the minister should have learned something about dealing in secrecy. You know what happened, even with the recent deals with Metro Chrysler -- dealing in that fashion. I'm asking the minister a very simple question: what First Nations are you talking to? What's so secret about that? What's so secret about the minister saying he's talking to Kwanlin Dun, Champagne and Aishihik, Vuntut Gwitchin or whomever?

The reason I believe the minister is wandering around the tulips on this question is because he's not talking to any First Nations.

He's not talking to anyone -- unless there's something happening in secrecy that's a really high-class document that's going to destroy the Yukon if he discloses what he's doing in the background here. I don't know.

But I'm going to ask the minister again. I'm interested in knowing what First Nations you're talking to. What are the discussions about? Is the minister afraid to say "land-based treatment centre" because he might make a commitment? I'm looking for a genuine, sincere commitment -- nothing that could be classed as being in outer space.

Hon. Mr. Cathers: I think the Member for McIntyre-Takhini is getting anxious for the end of the session. He seems to be getting tired on this topic. We've heard him referring in the last response to wandering through the tulips, potential destruction of the Yukon, and outer space. So I'm not sure which part of the member's question to respond to.

The member heard my response before. The question has been asked and answered, and it's simply a matter of respectful relations with those First Nations. We're not going to make an announcement without their concurrence of that announcement.

Discussions have occurred regarding establishing land-based treatment programs and have occurred between two departments and with First Nations. Those discussions are underway. It's simply a matter of respectful relations in this matter, and once we have something we can announce as far as opening dates, and where, and programming, we look forward to doing so. I anticipate that will not be that far off in the future.

If the member is travelling to outer space or wandering through the tulips, one day he may stumble across this new facility, and he certainly will if he heads in the right direction.

Mr. Edzerza: The minister just let the cat out of the bag because that is probably where you'll have to look for it under his direction. It is in outer space.

Anyhow, I want to move on with some other questions, Mr. Chair. Let the record show that the minister really didn't answer that question. He'll still be wandering, and probably in the next sitting when I ask the same question he'll probably still not have found his way out of the tulip patch.

I'm going to go on to some of the adult services. I just want to ask the minister something to do with social assistance clients and the amount realized by the government by continuing the policy of clawing back the child tax benefit supplement

from social assistance clients. Where does this money go? It is supposed to go to children's program, according to the federal policy. So where does it go?

Hon. Mr. Cathers: I thought we'd adequately addressed this matter when I advised the member of the program structure. The member himself listed some of the programs that this funding goes to. I would point out that it is referred to as a "reinvestment" under the structure. The fact is, as I said to the Member for McIntyre-Takhini previously and I will say it again, the national child benefit supplement was specifically designed to either be considered as income for the purpose of social assistance determination -- what the member refers to as being clawed back -- or for jurisdictions to reduce their social assistance payments to children accordingly. That is the case in every jurisdiction in the country. Approximately half of the jurisdictions act in the manner that the Yukon does by not having reduced social assistance payments for children, simply considering the national child benefit supplement to be income for the purpose of determining social assistance payments.

Again, I point out the reason for this is that the program was specifically designed to lower the welfare wall and provide an increased benefit to parents of low income who are in the workforce, in recognition of the fact that there are many programs for people within a certain income range and on social assistance in every area of the country but, in fact, particularly parents with children can sometimes be worse off entering the workforce. An actual child benefit was specifically established to address that problem and to ensure that parents are not worse off when they are in the workforce. It is only part of the solution. We have taken steps in addressing it through increasing the Yukon child benefit and raising the income threshold from the previous level of \$25,000 to a new level of \$30,000. We have also addressed it through raising the childcare subsidy by an average of 70 percent for those currently receiving it and raising the maximum income allowed for eligibility in this area.

I point out to the member opposite that he in fact listed the programs in Question Period that we fund through this. I would be happy to have him provided with a copy of the most recent report on the national child benefit program -- the most recent national report -- and the new report that I referred to in responding to the member previously -- the report that I just signed off on a few weeks ago. It needs to be signed off by every minister responsible for these services in every jurisdiction in Canada, as the principals responsible. Once that has been completed, the report will be issued. I would be happy to undertake to provide the member with a copy of that report at that time.

The member will see very clearly if he looks at the report that the Yukon is living up to the program's intention. The Yukon's treatment of the national child benefit supplement first began under the then NDP government, and we agree with it.

When in office, the Liberals clearly agreed with it because they didn't change it either. This is the appropriate manner in which to deal with it. Conversely, the other approach the Yukon could have taken is to have reduced the social assistance payments for children and flow the national child benefit straight through. Instead, the Yukon -- along with approxi-

mately half of all other Canadian jurisdictions -- chose to consider it income for the purpose of social assistance determination. Again I reiterate to members that it is the only child benefit that is considered income for social assistance purposes; it is the only one not exempted from there, and that is because that program was specifically designed for the purpose for which it is being used.

Mr. Edzerza: I would just like to ask the minister a couple more questions, one being around poverty. The gap in income between the top 20 percent and the bottom 20 percent in the Yukon Territory is the greatest in Canada. Will the minister consider an anti-poverty strategy for the Yukon?

Hon. Mr. Cathers: I'm left somewhat with the feeling that the member drafted these questions some time ago and didn't revise them based on the announcements that took place over the course of this sitting.

The whole point of the social assistance reform was to address the issue of poverty, both for people on social assistance and those with low incomes. The focus is on designing the social safety net, designing the structure, so it genuinely helps people enter the workforce and remain there, and continue to build their personal financial resources for the good of themselves and their families. That is an anti-poverty strategy.

What is the member missing on that? What about the announcement regarding the increased money for Yukon Food for Learning, in case there are children not being fed at home or not being fed adequately, so they have food? As a former Minister of Education, I would hope the member would be aware of the good work Yukon Food for Learning and its volunteers do.

I hope that he would appreciate the fact that by responding to their request and providing them an additional \$50,000 -- an increase over the previous level of \$41,000 and change -- we have stepped forward significantly working with an NGO to assist them in this area. We've worked with others to promote social inclusion as well. I'm not sure where the member is coming from. I can't help but be left the opinion that he seems to have written these questions some time ago and not revised them based on the announcements.

Again, the anti-poverty strategy -- what does the member miss about the increase to the Yukon child benefit? What does the member miss about the change to the *Income Tax Act* to provide an additional child tax credit for low-income families? What does the member miss about the fact that, all told -- when you add up the tax reduction and tax relief through the Yukon's income tax change, Bill No. 44, which we just finished in Committee of the Whole earlier this afternoon and will call for third reading in a few short minutes -- this bill provides a total of tax cuts of \$1 million to Yukon families and, coupled with the federal tax cuts in that area, it amounts to roughly \$3.5 million in new tax relief for Yukon families?

What is the member missing about the childcare subsidy and increasing the threshold level to benefit an increasing number of children and to benefit more low-income families? For the member to suggest that the government has not taken steps to address poverty is simply to be blind to the facts. We have put in place a structure that is incentive-based, that is economically sound and that is focused on genuinely assisting

people who are on social assistance into the workforce -- assisting those who are in the workforce at low income in remaining in the workforce, in building resources for themselves and their families, and in participating in the economy and the economic growth of this territory. So, in answer to the member opposite, I would just urge him to open his eyes and see the steps that have been taken.

Mr. Edzerza: Well, Mr. Chair, my eyes have been opened and that's probably part of the problem for the minister -- my eyes are open. All the programs the minister talked about are all programs of "piecemealing", I would call it. Maybe the minister really ought to add up all these programs and stand up and boast about how much they total. I would be very surprised if they totalled as much as the \$3 million that was put into a feasibility study for a railroad that never went anywhere.

So let's get real about this. Let's talk about the \$36-million investment that's in question today. That would have done an awful lot for the people in poverty. The minister ought to know, if he doesn't know, that there is a difference between a strategy and putting these little tidbit pieces into the equation here and there to make it look like a whole lot of things are being done, but an awful lot of nothing. That's what I'm talking about.

I believe there are an awful lot of people in the City of Whitehorse who are homeless right now and can't afford housing. Where's the low-cost housing agenda?

But I will ask my final question, and the last question I'd like to ask the minister is this: why is it that the nursing positions at the hospital are always advertised as auxiliary positions? Or, has that changed recently?

Hon. Mr. Cathers: The member truly needs to open his eyes. Suggesting that all of the initiatives, enhancements, and investments in social programs and in NGOs and structures don't add up to the cost of the railway feasibility study is just ridiculous.

It's just ridiculous. In childcare alone, this government has a commitment of a \$1-million increase annually over a five-year period, adding to a base for last year of \$5.3 million, which is a significant increase over the level that was added on our previous governments. It was a 40-percent increase to the direct operating grant, a significant investment in programs, going up from a level of \$4.2 million when this government took office to a level of \$5.3 million -- a significant increase -- and further increased. This year we will see a level of approximately \$6.3 million and, by the end of the five-year period, we will be at a level of \$10.3 million annually invested in childcare alone.

Some Hon. Member: (Inaudible)

Hon. Mr. Cathers: The member says it's not poverty. Does the member not understand how, by supporting people's ability to work by them being able to go to a job because their child is in care, it supports them getting out of poverty? How do you get out of poverty if you can't go to work? This is a step forward.

The member mentioned school. The member ought to be aware of the increased investment -- when he was on this side

of the floor and after he left -- that we've put in the Department of Education. It has been a significant investment in this area.

Social assistance -- the cost of the enhancements in this area, of the social assistance portions alone, are approximately \$1.7 million. The total cost of the social assistance reform initiative is in excess of \$2.5 million annually. This is adding to the existing programs. Either the member has written his questions some time ago and has not changed them to reflect announcements and, in fact, structured them poorly in the first place by ignoring the previous investments and actions, or the member has simply perhaps clipped *Hansard* from another jurisdiction or has read a book on literary styling for criticizing governments.

I really can't conceive of where the member is coming from on this because his questions are so out of touch with the facts --

Chair's statement

Chair: Order please. The debate is getting personal in matter. I would like to remind all members not to over-personalize the debate. Mr. Cathers, you have the floor.

Hon. Mr. Cathers: Thank you, Mr. Chair. I regret any personalization. I am not attempting to be personal toward the member opposite. I admit I strayed across the line on this issue. The Member for McIntyre-Takhini is a nice guy. I like the Member for McIntyre-Takhini but, in this area, he is just badly, badly wrong. I am sorry, Mr. Chair, but there is no other word for it. His questions simply ignore the significant investments that this government has made in social spending. We would compare our record to that of any previous government, not only in total dollar amounts -- which, of course, are far in excess of what any previous government in the Yukon ever did -- but in increases, enhancements, changes and structural reforms.

The member says we are piecemealing it together. Through a number of enhancements in a number of areas, through addressing the overall network of programs and supports -- that is the way that is appropriate to deal with it when we have these supports in place, not to simply put it all in one big program for one big announcement. Putting it in a number of areas -- changing, enhancing, investing in a wide range of program supports and tax cuts -- this is how we are helping people of low incomes and people on social assistance to move into the workforce, build their personal resources, and increase their participation and ability to earn a living for their families. This is what we are doing.

The member opposite is missing the point. Despite that, he is still a nice guy and I wish him a Merry Christmas, Mr. Chair.

Mr. Mitchell: In the spirit of Christmas, I also want to put on the record that the Member for McIntyre-Takhini is a nice guy. So, there, now it is unanimous.

Some Hon. Member: (Inaudible)

Mr. Mitchell: It has some all-party support according to the Minister of Education. We won't call division on it apparently.

Here we are in the final minutes of this sitting. First of all, I want to thank the Health minister for yesterday's debate. I hope we managed to get through it yesterday without anybody

getting too worked up. That's the nature of what we are supposed to be doing here on behalf of Yukoners -- asking questions and getting answers, or getting responses and sometimes getting answers.

I think that, as we are in the final minutes of the day, I would like to come back to something that I asked the minister about yesterday and he did respond. While candid, I think the answer was lacking in detail. That is in the area of youth at risk. I appreciate that the minister said that this has been an area of some challenge in trying to work out the details, but then, I will suggest that this minister was elected to rise to the challenges. I know that he would remind me that that's what he does.

For my last question I would like to go back to that. Many of us in this Legislative Assembly joined some of Whitehorse's youth on the streets earlier this fall. It felt more like winter than most of the days since then, but it was this fall. In interviews the minister did with the media at the time -- I am not sure if there was a release but I know there were interviews and he made public statements -- he indicated that he was working on a solution and he was hoping to get an interim solution in place by winter.

Winter is here, and we are just a dozen days -- a dozen short days because the days are short and the nights are long -- from Christmas here, a few minutes before 5:00 p.m. on December 13. The days are likely going to get colder, particularly the nights.

So the minister, again during Question Period, made reference to existing programs that were in place and existing offices that were in place that youth could turn to. I do recognize that those programs exist and that the officials and the employees of the Government of Yukon will do everything in their power to assist children, as they would to assist adults or anyone else, given that opportunity.

But the nature of youth at risk -- and that's how I think they should be described, rather than homeless. There are probably several dozen or more young people in Whitehorse alone -- and who knows how many out in the communities -- who fall into this category. I think it's a misnomer to say "homeless" because most of them probably have someplace they call home most of the time. But they can't necessarily call that a safe home every night, 365 nights a year.

The risks involved can be everything from the predation of drug dealers, of older people on younger people -- and admittedly, in many cases, they may be issues of substance abuse, be it overindulgence in alcohol or abuse of prescription drugs or illegal drugs. Those may be things that the youth may be seen to be bringing upon themselves, but they are children. They are somebody's children. Somebody brought them into the world and was tremendously excited to be holding a newborn baby and somehow, at the age of 13 or 14 or 16 or 17, they have landed up in a very difficult situation.

We met a number of these people. The Member for McIntyre-Takhini met them; I met them; the Member for Mount Lorne met them; the Member for Whitehorse Centre met them. I didn't see any government members or the minister there, but the minister has different responsibilities. He has the power, so

to speak, to do something about it. What we have on this side of the Assembly is the ability to ask the questions and raise the issues. The minister has the ability to resolve the issues and address the issues.

Unfortunately, I feel the minister's answer, though well-intentioned yesterday, was somewhat vague on the details. He talked about the challenges; he talked about working with other NGOs; he talked about the need to work with health professionals and that he couldn't force a partnership.

Can the minister provide us with any more concrete answers -- the end of December, sometime in January, not the ultimate, final resolution but something interim for this winter -- about when there will be a warm and safe place for these children to go when they are in need and at risk?

With that, I do want to leave the minister some time for a response. I also want to wish him and every member of this Assembly a very merry Christmas, a happy new year and a safe holiday with their loved ones. I want to thank every member on the other side for their responses and answers during this sitting.

Hon. Mr. Cathers: In answer to the Leader of the Official Opposition, yes, he is correct, as I indicated before. We have had some frustrations and challenges with what we had thought we were on the verge of having in place last month in terms of a shelter and second safety net for youth at risk and who may be homeless or without appropriate places to go.

Due to issues of zoning with most of the possible locations identified, issues with cost of renovations and time involved in renovations at the other locations, and the options available to us, we are running into times of late January, at best. We're looking at other interim options to provide the same second safety net principle. It will not likely be a building at this point in time. The focus will be on programming and I do expect the announcement any day now. The final details are being worked out. There have been some challenges with that but we're focused on coming up with a good arrangement. We're hopeful to have an announcement, as I say, any day now. Officials are working on it right now.

I understand that we are now short of time at the end of this fall session so I hope that has answered the member's questions. I would like to take this opportunity to wish members of the opposition and all members of the Assembly and, of course, the Legislative Assembly staff and the pages and the staff of *Hansard* a very merry Christmas and a happy new year. With that, Mr. Chair, I believe we are nearly at 5:00 p.m.

Termination of sitting as per Standing Order 76(1)

Chair: Order please. The time has reached 5:00 p.m. on this, the 28th day of the 2007 fall sitting. Standing Order 76(1) states, "On the day that the Assembly has reached the maximum number of days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt the proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

"(a) put the question on any amendment then before the Committee;

"(b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried,

"(c) put the question on a motion moved by a Minister that the bill be reported to the Assembly, and,

"(d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee."

It is the duty of the Chair to now conduct the business of Committee of the Whole in a manner directed by Standing Order 76(1). The Chair would now ask the Government House Leader to indicate whether Bill No. 8, the only bill now before Committee of the Whole, should be called.

Hon. Mr. Cathers: The government directs that Bill No. 8 be called at this time.

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

Chair: The Committee will now deal with Bill No. 8, *Second Appropriation Act, 2007-08*. The Chair will now recognize Ms. Taylor as sponsor of Bill No. 8 for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

Hon. Ms. Taylor: I move that all clauses, schedules and the title of Bill No. 8, *Second Appropriation Act, 2007-08*, be deemed read and agreed to.

Chair: It has been moved by Ms. Taylor that all clauses, schedules and the title of Bill No. 8, entitled *Second Appropriation Act, 2007-08*, be deemed read and agreed to.

Clauses 1 to 3 deemed read and agreed to

Schedules A and B deemed read and agreed to

On Title

Title agreed to

Hon. Ms. Taylor: Mr. Chair, I move that Bill No. 8, entitled *Second Appropriation Act, 2007-08*, be reported without amendment.

Chair: It has been moved by Ms. Taylor that Bill No. 8, entitled *Second Appropriation Act, 2007-08*, be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agreed.

Motion agreed to

Chair: As all government bills remaining in Committee of the Whole have now been decided upon, it is my duty to rise and report to the House.

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: Mr. Speaker, Committee of the Whole has considered Bill No. 44, entitled *Act to Amend the Income Tax Act (2007)*, and directed me to report it without amendment.

Mr. Speaker, Committee of the Whole has also considered Bill No. 8, entitled *Second Appropriation Act, 2007-08*, and directed me to report it without amendment.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Standing Order 76(2) states: "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting, pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall: ...

"(d) with respect to each government bill standing on the Order Paper for third reading and designated to be called by the Government House Leader,

"(i) receive a motion for Third Reading and passage of the bill, and

"(ii) put the question, without debate or amendment, on that motion."

I shall, therefore, ask the Government House Leader to indicate whether Bill No. 7, Bill No. 8 and Bill No. 44, the only bills now called and standing at third reading, should be called.

Hon. Mr. Cathers: The government directs that Bill No. 7, Bill No. 8, and Bill No. 44 be called for third reading at this time.

GOVERNMENT BILLS

Bill No. 7: Third Reading

Clerk: Third reading, Bill No. 7, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: I move that Bill No. 7, entitled *Fourth Appropriation Act, 2006-07*, be now read a third time and do pass.

Speaker: It has been moved by the Acting Minister of Finance that Bill No. 7, entitled *Fourth Appropriation Act, 2006-07*, be now read a third time and do pass.

As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agreed.

Motion for third reading of Bill No. 7 agreed to

Speaker: I declare that Bill No. 7 has passed this House.

Bill No. 8: Third Reading

Clerk: Third reading, Bill No. 8, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: Mr. Speaker, I move that Bill No. 8, entitled *Second Appropriation Act, 2007-08*, be now read a third time and do pass.

Speaker: It has been moved by the Acting Minister of Finance that Bill No. 8, entitled *Second Appropriation Act, 2007-08*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agreed.

Motion for third reading of Bill No. 8 agreed to

Speaker: I declare that Bill No. 8 has passed this House.

Bill No. 44: Third Reading

Clerk: Third reading, Bill No. 44, standing in the name of the Hon. Mr. Cathers.

Hon. Mr. Cathers: Mr. Speaker, I move that Bill No. 44, entitled *Act to Amend the Income Tax Act, 2007*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 44, entitled *Act to Amend the Income Tax Act (2007)*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agreed.

Motion for third reading of Bill No. 44 agreed to

Speaker: I declare that Bill No. 44 has passed this House.

We are now prepared to receive the Commissioner, in her capacity as Lieutenant Governor, to give assent to the bills which we have passed in this House.

Commissioner enters the Chamber, announced by the Sergeant-at-Arms

ASSENT TO BILLS

Commissioner: Thank you. Please be seated.

Speaker: Madam Commissioner, the Assembly has, at its present session, passed certain bills to which in the name and on behalf of the Assembly. I respectfully request your assent.

Clerk: *Act to Amend the Municipal Finance and Community Grants Act; Act to Amend the Subdivision Act; Act to Amend the Employment Standards Act; Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003; Act to Repeal the Motor Transport Act; Act to Amend the Legislative Assembly, No. 2; Legislative Assembly Retirement Allowances Act, 2007; Act to Amend the Legislative Assembly Act; Securities Act; Fourth Appropriation Act, 2006-07; Second Appropriation Act, 2007-08; Act to Amend the Income Tax Act (2007).*

Commissioner: I hereby assent to the bills as enumerated by the Clerk.

I would also like to take this time, as Commissioner of Yukon, as an opportunity to thank you for your dedication and hard work on behalf of the people of the Yukon. It is not an easy task you have taken on, and I personally know some of the pressures and stress put on you and your families.

I will be hosting the 2008 New Year's Levee in the main government building foyer, and I extend an invitation to all. There will be presentations of the Commissioner's awards for public service and bravery to several well-deserving Yukoners.

The Minister of Education, Mr. Rouble, has done me the honour of co-presenting the Governor General's education awards, which are given to the highest academic achievers in each Yukon school.

It has been a pleasure for me to serve, this past two years, the people of Yukon and my First Minister, Premier Fentie, and to appear before the Speaker and the Legislative Assembly to assent to bills and to read the Speech from the Throne when required to do so.

I would also like to acknowledge all those who have the task of ensuring your job is carried out appropriately and assisting in the House: the Clerk of the Legislative Assembly, the Deputy Clerk, administrative staff, the Sergeant-at-Arms, *Hansard* staff, pages and all the support staff.

As you begin your holiday season, I extend warm wishes to you and your families. Merry Christmas and all the best in the new year.

Speaker: I will now call the House to order.

As the House has reached the maximum number of days permitted for the fall sitting, as established pursuant to Standing Order 75(3), and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned.

Merry Christmas to each and every one of you.

The House adjourned at 5:13 p.m.

The following Sessional Papers were tabled December 13, 2007:

07-1-58
Yukon Arts Centre 2006-07 Annual Report (Taylor)

07-1-59
Yukon Child Care Board 2006-07 Annual Report (Cathers)

07-1-60
Yukon Hospital Corporation Consolidated Financial Statements as at March 31, 2007 (Cathers)

The following documents were filed December 13, 2007:

07-1-47
Health Care Insurance Programs, Health Services Branch: Statement of Revenue and Expenditures for fiscal years 1997-98 to 2006-07 (Cathers)