

**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, December 4, 2008 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In remembrance of Sydney Brunswick Horton

Hon. Ms. Horne: To begin, I would like to introduce to the House the family of Sydney Brunswick Horton: Jan, his wife, his son Stephen, and Erin, his daughter in law, and friends of Stephen.

Applause

Hon. Ms. Horne: It gives me great pleasure to rise today to pay tribute to Sydney Brunswick Horton, one of the founding fathers of our Department of Justice. Always a Nova Scotian at heart, he was called to the Bar in 1972 and practised law in Regina for five years. He moved to Yukon in 1977 with his wife Jan. At that time, Mr. Horton was one of the first lawyers to work at the Department of Justice, which was then called the Department of Legal Affairs.

Mr. Horton worked as a legislative drafter and he played a key role in the creation of the department's legislative counsel office and was the chief legislative counsel for many years. Mr. Horton witnessed the creation of the Department of Justice in 1979, where he worked for 30 years drafting legislation for all areas of government activity and providing legal advice to the Government of Yukon. Following his three decades of public service, Mr. Horton retired from the Department of Justice in 2007.

Sadly, Mr. Horton passed away last August. The hundreds of people who attended his memorial service were a testament to his contributions to public administration in Yukon and to the community that had been his home since the 1970s.

Those who worked with Mr. Horton were impressed by his razor-sharp intellect. He used his skills as a master of metaphor and analogy to provide clear and helpful legal advice that was also sometimes very, very entertaining.

Those of us who received Mr. Horton's advice were reminiscing about our "Sydisms". There were few public servants who witnessed and contributed to the evolution and development of the institutions of the Government of Yukon as Mr. Horton did over the years. Mr. Horton's contributions have left a lasting legacy, not only for the justice system, but for public administration in Yukon.

At this time, I again urge the members of this House to join me in remembering Sydney Brunswick Horton.

Günilschish. Thank you.

Mr. McRobb: I am honoured to rise today on behalf of the Official Opposition in tribute to the life of Sydney Brunswick Horton, or Syd, as he was affectionately known. Syd was a long-time Yukoner well known in the community. He was employed as a legal counsel for the Department of Justice and worked on drafting many pieces of legislation during his career. He was a dedicated public service employee for three decades.

Syd lived his life to the fullest, between his law career, devotion to his family, his study of languages, his concern and care for the environment and his musical interests. He played the trumpet, was learning classical guitar, enjoyed singing, and was an active member of the Neptunes and the Whitehorse Community Choir.

Syd was a strong family man. He was a source of strength, care, humour and generosity to his family, friends and colleagues. He lived his life with a level of thoughtful grace and depth. We wish to extend our sincere condolences to his wife, Janet, and family members. May you find strength in the knowledge that your loss is shared by many.

May today's recognition of Syd's significant contribution to the public service add to your special memories of the closeness you shared as a family and be of comfort to you.

Thank you.

Mr. Hardy: On behalf of the NDP caucus, we also would like to recognize the family members who are in the gallery today, the friends who have come out — close friends and people who have met Syd and have been influenced or inspired by him, but also his other two children, Jennifer and Brian, who are not able to be here today. I hope that the words that are spoken in the Legislative Assembly are passed on to them and they recognize how much Syd has contributed to the Yukon and the many people he has touched.

I rise with pleasure — because I did get to know Syd over the last few years — and with sadness to pay tribute to one of our best-known public servants. He became the second lawyer employed by the Yukon government, working with Pádraig O'Donoghue. He was with this government for over 30 years, providing clear advice throughout his career, in his most masterful prose.

Yukon gained much when Syd and Jan Horton moved to the Yukon in 1977. Syd was instrumental in establishing the legislative counsel office of the legal services branch and served as its chief for many years. His service was not only to the Department of Justice but to public administration in the Yukon. He provided legal advice and developed and drafted countless pieces of Yukon legislation in every area of government activity, including justice, social services, health services, education, natural resources, taxation, privacy, family and corporate law. That's a broad spectrum for any lawyer to take on, but Syd was willing to do it and he had the capacity and mind to do it.

Syd's curiosity and his complex mind sought the underlying principles in understanding issues and he wrote from that level. Syd was scrupulously fair and had just the right amount

of skepticism, which made him a thoughtful and trusted legal advisor.

He had an uncanny ability to analyze complicated situations and identify the key issues at the heart of the matter in question. I think that's something we all could strive to achieve in the Legislative Assembly. He felt that the legislative drafting was taking ideas and making them into achievable realities.

Syd's approach to his work was influenced by his reading and discussions of western and eastern philosophies. Not to be confined by legal thinking only, he learned classical guitar, Spanish and Mandarin. But Syd was not a dry and dour personality; he had a playful, delightful social side. His conversations were often peppered with turns of phrases, puns and plays on language. His family and co-workers have been generous in sharing with us the book that was put together for his retirement, entitled *A Miscellany of Musings of Sydney B. Horton*.

These sayings became known as "Sydisms", and here are some of them. On Yukon's relationship with the federal government: it took years of riding on the intergovernmental train to create the universal assumption that we belong on it, but we started as hobos in the boxcar, not as passengers sharing liquors in the lounge car.

On the Constitution and statutory interpretation: "Our constitution affirms that we operate under the rule of law for which we find authority in *The Hitchhiker's Guide to the Galaxy*" — it's a great book — "which says that the guide is definitive; reality is frequently inaccurate."

On the workings of government: the OICs that are most likely to go astray and the wagons that are most likely to have the wheels fall off are the ones that people try to push through a shortcut.

On telling it the way it is: "It's true a rose by any other name is still a rose, but this rose is no rose — it's a dandelion."

"I guess logic's elevator doesn't always stop at every floor."

"This act is a baby that should have gone out with the bathwater." How many acts have we seen?

"At the risk of seeming to be a nattering nabob of negativity, let me dwell on some potential problems."

One I just looked up recently because it had come across my desk within the last year, and I remembered it, was — and it's on muddled language, and it was in the *Smoke-free Places Act* that we had drafted up. Here's the response to one of the sections in it. He said, regarding the muddled language — well, he indicated it was muddled — he said, "It's like putting a zebra in the RCMP musical ride." Thanks, Syd. We worked hard on that one.

Now, Syd played an invaluable role as a mentor to countless numbers of Justice lawyers over the years. He was generous with his time and demanding in his expectations, which inspired and improved those he was helping. This valued public servant is gone from us, but not in spirit. His quiet strength, his caring, and his generosity will continue to be part of his family, friends and colleagues. The service folder for his funeral says on the front: "He will be remembered with profound love."

Just on a personal note, I actually became more familiarly acquainted with Syd around the classical guitar — his passion

to play it, study it and master it and my desire to build them. We often traded e-mails back and forth, and it was always a delight to get one from him, and they were always very inspirational.

Mr. Speaker, I will close with this. The last time he and I stopped and talked he told me how proud he was that he would be playing at his son's wedding.

Thank you.

In recognition of the National Day of Remembrance on Action on Violence Against Women in Canada

Hon. Ms. Horne: I rise today to pay tribute to December 6, which is the National Day of Remembrance and Action on Violence Against Women in Canada. The day was established in 1991 by the Parliament of Canada and marks the anniversary of the 1989 murders of 14 young women at l'École Polytechnique de Montréal who were killed simply because they were women.

Canada has marked December 6 as the National Day of Remembrance and Action on Violence Against Women so that we may all speak out and take action to ensure respect, equality and safety for all women and girls. It is an opportunity for Canadians to reflect and speak out about violence against women in our society. It is also an opportunity to consider the women and girls for whom violence is a daily reality and to remember those who have died as a result of gender-based violence. Finally, it is a day on which communities can consider concrete actions to eliminate all forms of violence against women and girls.

More and more people, including men, are speaking out and taking action, and that does give me hope. We need more men to be part of the movement to change social values so that violence is not accepted in our society as a way of resolving conflict or exerting power over someone you love.

Recently, Ben Atherton-Zeman, the spokesperson for the National Organization for Men Against Sexism in the United States, was in Whitehorse to give presentations of his one man show, "Voices of Men".

His messages include the notion that if enough voices of men are raised against violence toward women, the number of women and girls who are assaulted will be dramatically reduced. We need to teach young boys to respect women and girls through example. We need to speak out against violence when it happens. But also, we need to speak out against those things that degrade women and make violence possible, such as sexist jokes. These are things we can all do.

I encourage all of us to take strength and courage from one another and to speak out against violence when you see it happening.

Günilschish. Thank you.

Mr. Mitchell: Merci, Monsieur le Président. Je me lève aujourd'hui au nom de l'opposition officielle pour rendre hommage au jour national du souvenir et de l'action sur la violence contre des femmes. Le 6 décembre 2008 marque le 19^{ème} anniversaire du massacre de Montréal. Le 6 décembre 1989, 14 jeunes femmes ont été visés et tragiquement assassi-

nés au l'École Polytechnique de Montréal simplement parce qu'ils étaient des femmes.

Mr. Speaker, I rise today on behalf of the Official Opposition to pay tribute to the National Day of Remembrance and Action on Violence Against Women.

December 6, 2008 marks the 19th anniversary of what became known as the Montreal Massacre. On December 6, 1989, 14 young women were targeted and tragically murdered at l'École Polytechnique de Montréal, simply because they were women. Armed with a semi-automatic rifle, Marc Lépine walked through l'École Polytechnique in Montreal, separated the men from the women, and proceeded to methodically shoot and kill 14 women, while making hateful statements about women. This gender-based violent act shocked the nation. It was a tragic example of a horrible hate crime. We must never forget this terrible loss, and never forget that many women continue to live and die in the shadow of violence.

Beyond commemorating the loss of these 14 young women, this day represents a time for all Canadians to pause and reflect on the phenomenon of violence against women in our society. It is a time to remember all women and girls who have died or been hurt by violence, and to think about those who currently face violence in their lives. As we mark this sad anniversary, let us renew our resolve to prevent and eliminate violence against women.

Violence against women is a serious social problem that negatively impacts us all: women, men, children, neighbourhoods, workplaces and communities. Violent crime in any form is unacceptable. Each of us has the power and responsibility to speak out against violence.

In the Yukon, we are fortunate to have centres like the Victoria Faulkner Women's Centre and Kaushee's Place in Whitehorse, Dawson City Women's Shelter, and the Help and Hope Society in Watson Lake. They provide confidential shelter, support and advocacy to women and children in crisis.

While we are grateful for these transition homes and the support they provide, it is a sad fact in today's society that there is an ever-growing need for more and more shelters for abused women and children. Please know, if there is any form of physical threats of violence or violence in your lives, there is help available. Contact any transition home, the RCMP, victim services or a crisis line.

C'est un jour pour que des individus et des communautés réfléchissent sur des actions concrètes que chacun de nous peut prendre pour empêcher et éliminer toutes les formes de violence contre des femmes. C'est un but à long terme qui sera seulement réalisé par le changement durable des valeurs et des attitudes sociales.

This is a day for individuals and communities to reflect on concrete actions that each of us can take to prevent and eliminate all forms of violence against women. It is a long-term goal that will only be realized through lasting change in societal values and attitudes.

As men, husbands, brothers and as parents, we wear the white ribbon as a reminder of our responsibility to eliminate all violence against women. I encourage all men not only to wear

the white ribbon but to behave in a way that promotes equality, dignity and respect of all women.

We must each take responsibility for building a country where no one lives in fear because of their gender and where we can all live freely and safely and participate fully in society. The Yukon flag and flags on all government buildings across the country, including the Peace Tower in Ottawa, will be flown at half-mast to mark the National Day of Remembrance and Action on Violence Against Women and in remembrance of all women who have died as a result of violence.

Please join the National Day of Remembrance and Action on Violence Against Women being held Friday at noon in the Elijah Smith federal building foyer.

Thank you, Mr. Speaker and merci, Monsieur le Président.

Mr. Hardy: I rise on behalf of the NDP caucus to commemorate December 6, which is the Day of Remembrance and Action on Violence Against Women. On this day we mourn the 14 women tragically murdered in Montreal. We reach out to their grieving families with heartfelt sympathy. Their loss is a loss for all in Canada. With this terrible act, we lost the futures of bright, young, educated women who would have contributed much to the well-being and advancement of our society.

This murder was a highly symbolic act of vengeance against women. The brutal murderer made it clear that his was a gender-based act of violence. These women wanted only to work as men do, with the freedoms and rights of men. He could not accept the advancements that women had made.

These women were strong, progressive individuals who had chosen a path only recently opened to women of becoming engineers. The single deranged mind that committed this brutal murder reflected our society's ingrained gender-based violence. Despite many advances, women still suffer physically, emotionally, economically and even politically in this country. There is a strong resistance to the full integration of women and it is often displayed in acts of violence against women.

It is right and just that we have this day of mourning, but it is also a day for action on violence against women.

We must educate ourselves, our families and our friends about the truth of what happened in Montreal and what continues to happen. Misogynist acts of violence against women continue if we do not face this reality.

It is not enough to wear a white ribbon for a few days. The rights and dignity of women in our society must be reflected in our daily lives. When we see bullying and harassment of women, when we ignore unpaid work done by women such as caretaking of children and seniors, when we don't vote for a woman because she is seen as a weaker candidate because of her gender — those are just examples and those times when we must remember the reason for the murders of the 14 young women in Montreal. Those are the times to remember, speak out and act against violence against women.

Speaker: Any there any introductions of visitors?
Are there any returns or documents for tabling?
Are there any reports of committees?

Are there any petitions?
 Are there any bills to be introduced?
 Are there any notices of motion?

NOTICES OF MOTION

Mr. Mitchell: I give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of all papers, documents and records between Yukon and Kwanlin Dun First Nation in relation to the Yukon asset construction agreement in conjunction with the Whitehorse International Airport project.

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

THAT this House urges the Yukon government to implement the recommendations of the *Working Without Boundaries* final report in order to improve the delivery of front-line services to children and families at risk in the departments of Education, Health and Social Services and Justice.

I give notice of the following motion:

THAT this House urges the minister responsible for the Yukon Energy Corporation to address the ongoing and persistent problem of electrical blackouts by developing a long-term plan to replace aging hydroelectric infrastructure.

Speaker: Are there any further notices of motion?
 Is there a ministerial statement?
 This then brings us to Question Period.

QUESTION PERIOD

Question re: Non-governmental organization funding

Mr. Mitchell: Not-for-profit organizations play an important role in our society, especially during the Christmas season. We all recognize that the government plays a role in assisting the less fortunate, but clearly the government is not all things to all people. It is at this time of year that poverty, tragedy and isolation are the poignant social issues. It is the season for giving as was demonstrated recently by this government's spontaneous and generous donation to the Yukon Hospital Foundation. The government's response the Hospital Foundation's troubles was not only admirable, it is precisely the right course of action to take under the circumstances.

Is the Premier aware of all the other not-for-profit organizations that are struggling financially to serve the needs of our less fortunate? Does he have a plan to provide financial assistance to these organizations?

Hon. Mr. Fentie: In the first instance, considering what transpired so close to what has become an annual event of such great importance and contribution to health care in the Yukon — the Festival of Trees — and the unfortunate act of individuals who decided that many of the items that were available for the Festival of Trees — to raise money for the foundation, to invest in health care in the Yukon — they deemed those items more important to themselves than Yukoners and their health care. The government felt compelled at the time, given the situation that the foundation and all those hard-working

Yukoners and corporate sponsors involved — we felt we had to help the situation to make sure that this year's event and the contributions coming out of that event are not diminished, and we do not compromise the ongoing good work of the Hospital Foundation. So, we acted.

But to suggest that there is some correlation between what the member is referring to as all non-profit organizations to these circumstances is really not something that is going to produce any constructive results. We as a government always reach out to assist those in need — non-profit, NGOs and so on.

Mr. Mitchell: I'm not sure the Premier was listening carefully to the question. But perhaps when he reviews *Hansard*, he'll find that I commended him and thanked him for what he did.

Now, this government is not without financial resources. The Premier frequently refers to \$165 million in net financial resources. This money should not just be a number on the books. It should be put to use. Organizations such as FASSY, the food bank, and the Salvation Army — just to mention a few — provide valuable and important support to the people who need it the most.

These organizations need additional help right now, and they need to know that their call for help will be answered. The government can recognize that these organizations fill a critical need, and the government can choose to help these organizations fill that need, as it demonstrated recently with the Yukon Hospital Foundation. So will the Premier loosen the public purse strings enough to strengthen our social safety net in the areas that need it most?

Hon. Mr. Fentie: Well, I hope the Leader of the Official Opposition is not inferring that the government is not acting responsibly to assist those out there who are providing good works for Yukon and Yukoners. That is not the case.

When we consider FASSY, we've more than doubled its funding as a government; Many Rivers, which was formerly Yukon Family Services — we've increased their fiscal capacity in hundreds of thousands of dollars. We have stepped up and provided fiscal resources for the Outreach van. Look at the many dollars that we assist the women's shelters with. If you look at where they were at and compare it with where they are today, since this government has taken office, there's a 30-some percent increase in investment for those very important front-line agencies.

I think the answer hopefully comforts the Leader of the Official Opposition that the government is certainly not ignoring those out there who are doing this good work on behalf of Yukoners.

Mr. Mitchell: The government has done much but it must do more. This government can and did respond appropriately to the Yukon Hospital Foundation's tragedy by providing a grant to offset the theft of the fundraising prizes. We use it as an example because it was the right thing to do; it's a worthy cause; it's filling a gap in our social fabric the government cannot fill alone.

We support the government's actions in this case, but there are other organizations, such as FASSY, Share the Spirit and

others, that pursue other worthy causes that are also in need of additional financial support, particularly at this time of year.

Will the Premier, rather than reciting a litany of past actions, recognize the valuable contribution these other not-for-profit organizations made on behalf of his government, and provide them with the support they so desperately need to continue to assist people?

Hon. Mr. Fentie: I'm not sure how the member can draw a conclusion that I've just recited a litany of past actions. These are current investments. By the way, I would remind the Leader of the Official Opposition that he and his colleagues, the Liberal Party in this Assembly, have consistently voted against those past and current actions.

Furthermore, those in Yukon who are assisting those who are disabled — we provide fiscal resources in that area. When you look at collectively all non-government organizations in this territory, under this government's watch — past, present and, I can assure, into the future — our increase in investment is measured in millions of dollars.

Question re: Power outages and reliability

Mr. McRobb: The minister responsible for the Yukon Energy Corporation has been asked several questions recently about the value for money paid for electrical service in the territory.

These questions have represented concerns expressed by the general public, the local business community, and others. We have presented responsible remedies, but this government has chosen to reject them, and instead do nothing. The Yukon Party government seems content with the status quo.

Well, it's time to take stock. This government decided to hike power bills 30 percent, and this same government ignores the power outage problem and goes shopping for spare parts and blaming others, including the squirrel. Does the minister responsible for energy policy approve of this practice of charging customers higher bills for lower quality service?

Hon. Mr. Cathers: Mr. Speaker, once again we deal with the challenge in debate. The Member for Kluane has again brought forward information that does not accurately reflect the facts. The member is aware that subsidization and rates are different things, and his approach of course in the past has been to oppose steps necessary to increase the reliance on hydro, and instead has favoured subsidization.

Let me point out: this government feels — we share the opinion that I think most Yukoners do — that the current situation, the number of power outages that have occurred in the past year, is something that must be addressed. We are working in our policy role with the two utilities responsible, Yukon Electrical Company and Yukon Energy Corporation, to assist them in doing their work in addressing these problems. I'd remind the member opposite that under the NDP and under the Liberals, there was a period of roughly a decade where the investment in capital maintenance upgrades was neglected by Yukon Energy Corporation under those governments' watch. We've corrected the problem, and that investment has been increased substantially — over the past three years, it has been between \$7 million and \$10 million annually, roughly. There is further work yet to be done to make up for that period of ne-

glecting maintenance, and they are working on addressing those problems and enhancing system reliability.

Mr. McRobb: Well, Mr. Speaker, this government has been in power for six years, yet it seems content to leave Yukoners without power all too frequently.

Now, it should be taking this matter more seriously and doing something to address it. Customers are becoming more vocal about being forced to pay more money for poorer service. These power outages are disruptive to the business community, local traffic, computers, and to put it mildly, people are not happy. What does this government say? "Don't worry. We're shopping for spare parts."

To add insult to injury, consumers could be asked to pay more for power outages instead of getting a break. This is because the utilities recover the cost of unbudgeted diesel consumption from customers during power outages.

Does the minister responsible for energy policy approve of this practice of charging customers more because of power outages instead of giving them a break?

Hon. Mr. Cathers: Mr. Speaker, again, we are engaging with the Liberal Party in debate. The Member for Kluane is bringing forward assertions that would tend to create a perception of the facts that does not line up with the facts. I would encourage him to be a little bit more cautious in his terminology. The member should be very well aware by now that the Yukon Utilities Board sets the rates and deals with matters related to that. They are a quasi-judicial body. I would point out, Mr. Speaker —

Some Hon. Member: (Inaudible)

Point of order

Speaker: On a point of order.

Mr. Mitchell: You have made quite clear in your rulings, Mr. Speaker, that one cannot do indirectly what we are not allowed to do directly. I would think that has indirectly violated section 19 in implying that the member is misrepresenting facts.

Speaker's statement

Speaker: Thank you for the interjection, Leader of the Official Opposition. I hope you will allow the Chair to review the Blues and I will come back with a ruling.

Hon. Mr. Cathers: Mr. Speaker, I would point out to the member that, in fact, it is important that we debate the facts. It is important we work with the utilities to address these problems. Everyone agrees that power reliability must improve.

Mr. McRobb: Mr. Speaker, I explained the policy. Customers are charged more on their power bills because they are asked to pay for the diesel burned in the back-up generators during power outages. This government obviously approves of that policy; otherwise, it would be doing something about it.

Many Yukoners are quite shocked at the magnitude of their latest power bills, especially those customers who chose to believe this government's promise there would be no increase. This unexpected expense has caught many by surprise, especially those on low or fixed incomes. It is impacting their bottom line, forcing many people to cut their spending budget

this holiday season. Does the minister responsible for energy policy approve of this government's practice of hiking power bills despite its promise not to do so?

Hon. Mr. Cathers: Again, we are dealing with the preamble to the question coming from the Liberal Party that contains a number of inaccurate statements. It is very difficult to respond to statements which do not adequately reflect the facts. The member knows that the Yukon Utilities Board sets the rates, has jurisdiction in those areas.

Things such as the issues of riders and diesel will be addressed by that quasi-judicial board when they do the rate review, which is underway right now. The member knows it is not government policy; it is the Yukon Utilities Board that deals with it.

Government policy is working with utilities to reflect what we heard in the energy strategy consultations. We are working with them to focus on improving the reliability of the system, investing in expanding the system and investing in upgrading the system. Again I reiterate: they have significantly increased the investment in capital maintenance from what it was under the Liberals and the NDP. Under their watch, that was neglected.

We and the Yukon Energy Corporation are doing the work to rectify that past neglect and to fix the problems, upgrade areas of the system that are aging and focus on a reliable system — because reliability must improve.

Question re: Swift River Lodge sewage system

Mr. Hardy: After four years of frustrating convoluted orders and actions by this government, the owner of the Swift River Lodge was sentenced this week in court under the *Public Health and Safety Act*. Without going into complex details, the owner was charged, found guilty and a jail term was imposed for non-compliance of an order to install an acceptable sewage system.

Throughout the past four years, the lodge owners have suffered through conflicting directions from both the environmental health officials and the lands branch. They have lost guaranteed financing to improve their property because of it; they have lost income by an order that closed the lodge. They have now lost income by having to appear in court, which has been adjourned 10 times for various reasons.

How does the minister justify the extreme measures and conflicting messages from this government that have brought this business to court?

Speaker: Before the member answers that question, Mr. Clerk, I need your advice for a moment here, please.

Fair question, Minister of Health and Social Services please.

Hon. Mr. Hart: The matter is before the court and the issue is being discussed. I don't think it's fair for us to comment on the situation while it's still in the legal aspect.

Mr. Hardy: If the minister would have listened to my question, he would have understood that my first sentence said that it's over — it's out of the court now. The minister really

needs to listen, and that's not a way to get away from answering.

In 2004, the lodge was given a boil-water order, even though no contaminants were ever found in the drinking water after dozens of tests. We have been told that there are other businesses in Watson Lake and Dawson that have had boil-water orders and have not been shut down.

In 2005, the owners of the Swift River Lodge were ordered to close the restaurant and hotel, cutting them off from the income that might have allowed them to comply with the order. A petition to keep the lodge open for highway safety reasons signed by 2,000 people didn't change a thing with this government. There was no way to appeal the orders.

The lodge owners tried numerous times to meet with their MLA, the Premier. He promised he would; he didn't do it. Is this government simply going to let this business drift into bankruptcy without any recourse, when the owners have tried their best to comply with territorial orders?

Hon. Mr. Fentie: The comments coming from the Leader of the Third Party simply aren't going to provide any constructive debate or discussion here. I'm well aware of the issue, and it begins with an order from the public health officer.

Now, myself as MLA, and the minister of the day did a great deal of work to help the lodge with this issue, which included providing Crown land adjacent to the lodge, which was land existing on our highway maintenance camp site, for a place to put a new septic system. Our own officials came forward to offer a number of options to assist the lodge with their issue.

The bottom line is they had a failed septic system, as is reflected in the order. A great deal of assistance was provided; options were provided; the choice of the lodge owners is exactly that: it's their choice.

Mr. Hardy: It's my understanding, though I haven't gone by it like the Premier does on a regular basis to go back to his riding, but there are two huge septic tanks waiting to go into the ground but they haven't been able to put them in because of mixed orders they're getting.

We've been talking about silos all week, government silos that are created, and this is another example. Compliance was impossible for the owners because orders from Environmental Health required actions on the part of the lands branch. Testing by Environmental Health and Highways and Public Works on surrounding property shows there was a high toxicity for metals and pesticides. In Alaska there has been a 25-year moratorium on development along the Alaska Highway corridor because of toxicity. We believe there's a duty to inform when contamination is found.

Everyone needs to know how dangerous the contamination is, where there is contamination, how many other businesses along the Alaska Highway may be susceptible to the same action the Swift River Lodge has been through.

How does the minister expect to deal with this issue of toxicity along the highway?

Hon. Mr. Fentie: None of us in this House are experts when it comes to environmental health and safety, toxicity or anything else that relates to environmental contamination. We

have experts; we have environmental officers; we have health and safety officers; we have occupational health and safety people — these are the experts who are involved in these issues, not members of this House, not individuals discussing an issue through idle conversation.

These are critical, very important situations that relate to the public health and safety of Yukoners and the travelling public. I would much prefer to leave that in the hands of those experts. To hear some of the inferences coming from the Leader of the Third Party, referencing this specific issue — they are incorrect and have nothing to do with the facts of the matter and the issue relating to addressing public health and safety for Yukoners and the travelling public.

Question re: Agreement on Internal Trade

Mr. Hardy: The Agreement on Internal Trade is an intergovernmental trade agreement signed by Canadian First Ministers in the mid-1990s.

Its purpose is to liberalize investment rules and remove perceived trade barriers within Canada. The Minister of Economic Development is now the chair of the working committee of the AIT. The Premier has said, “As chair, Yukon will hold a seat of significant authority while it continues to negotiate strongly to ensure the AIT meets the needs of Yukoners.”

The House has not been given an update on the AIT discussions, though we understand there was a meeting back in June on internal trade. Can somebody on the other side tell the House what the Yukon has signed up for to date and how he is ensuring that the AIT meets the needs of Yukoners?

Hon. Mr. Fentie: Actually, the Yukon signed on to the Agreement on Internal Trade a long, long time ago. What is really at issue today is the issue of labour mobility in the country. That is something that the provincial and territorial jurisdictions are working on. It is something now that we have the federal government engaged in as I presented to the House yesterday in our debate in the motion brought forward by the Leader of the Third Party. This is a component of our First Ministers meeting this January 16. It is going to focus on this issue of not perceived barriers in the country, barriers that are real to allow better labour mobility to make a positive contribution for Canada in dealing with our overall economic interests in every jurisdiction, in every region of the country. It has been a long, long process.

The agreement has been changed and amended a number of times and, yes, Yukon is very pleased and honoured that this year we will be taking on the job and the responsibility of chairmanship of the committee of ministers for internal trade. We have every intention to make sure Yukon’s interests are dealt with at that table. We have to recognize that in all jurisdictions of the country, this is a priority initiative slated to be implemented by April 2009.

Mr. Hardy: Mr. Speaker, I would like to inform the minister that is more than just about labour mobility. In rejecting joining the *Trade, Investment and Labour Mobility Act*, TILMA, with B.C. and Alberta, the Yukon government said that there could be difficulties implementing YESAB recommendations and that there were large costs associated with dispute resolution.

Despite this, Yukon signed on to a dispute resolution process at the June AIT meetings. Violations of the trade agreement will be referred to a panel and fines up to \$5 million will be levied depending on the seriousness of the violation, the magnitude of the impacts on the market and the population of the jurisdiction involved.

According to the AIT Web site, there was one person already named to a five-person panel that would hear these disputes in the Yukon. The Minister of Economic Development has never disclosed any of this information. So my question is this: can the minister inform this House what the Yukon has agreed to in terms of maximum monetary amounts and penalties for violations?

Hon. Mr. Fentie: The information is public. The Agreement on Internal Trade is not something that is kept in a vault somewhere. It’s well known and, frankly, the references to TILMA by the Leader of the Third Party are incorrect.

The government stated that it made no sense for the Yukon to join TILMA. We did not have the critical mass that would result in benefits for Yukon in an agreement such as TILMA, but we did say that the Yukon would remain committed to the Agreement on Internal Trade.

As far as the penalties, I believe that — and this is off the top of my head; I have no documents in front of me on internal trade — the territories are not going to be faced with penalties of \$5 million. Our penalties, should they ever occur — which is highly doubtful because there are exemptions in this arrangement — would be far less. I believe that they are at a limited level, but I don’t have the number at the top of my head. But it is public. It’s easy to access.

Mr. Hardy: Actually, it’s not public what the territorial government is doing, Mr. Speaker. Now, critics of the free trade deals like NAFTA, TILMA and the AIT have long argued that they give too much power to investors and corporations, allowing dispute resolution panels to overrule public policies and are very serious threats to democratic decision-making. A community that doesn’t want to allow pesticides could face a complaint from a chemical company. A community plan that limits the location of big-box stores could get sued for impeding the ability of big chain retailers to make a profit. A school board that wants to feed kids locally grown food could get sued by a grocery corporation. What if we wanted to make the Yukon free of genetically modified seeds, Mr. Speaker?

Just the other day, the City of Whitehorse gave away its right to give preference to Whitehorse or Yukon businesses, in order to comply with the Agreement on Internal Trade. The question: why is this government signing on to trade agreements that take away the people’s right to shape their communities, and has it determined which Yukon programs could be in danger of fines or court orders in the future?

Hon. Mr. Fentie: Mr. Speaker, it is inappropriate and very troubling to raise spectres that have nothing to do with what the Yukon will experience in something like an agreement on internal trade.

So that said, I would caution the Leader of the Third Party to recognize that this agreement has been an agreement in the works in this country for years. The Yukon signed on to this

agreement some time ago. It's not something that we invented. It's something that we as a government inherited, but it is our place in the federation and our contribution to the national interest. Yukon must also recognize that we have a contribution and commitment to be made when it comes to national initiatives. We're not working in isolation. We don't believe that that's the right course for Yukon to take. And it has proven to be very positive — our approach of taking Yukon and putting it on to the national stage in a manner that we make a contribution, and yet, from that, we are receiving. And I think the changes for Yukon and what it gets from our presence nationally are well-evident in health care, in infrastructure dollars, in our economy, in our territorial funding formula. It's all present. It's all evident.

Question re: H. pylori research project

Mr. Elias: H. pylori infection is a very serious issue. Our community of Old Crow has considered the value of participating in an H. pylori research study, and we have unanimously decided that such a project be carried out in the community of Old Crow for those citizens willing to participate.

I have constituents who are fighting for their lives right now because they have internal cancers, and my constituents want to find out why so many of our community members are becoming infected. Research will provide valuable information with regard to what we can do to stop the transmission from person to person, especially children. And we need to understand the different strains of the bacteria.

It's important to intercept the transmission of H. pylori, and we don't know how to educate people about how not to become infected. Will the Health minister support the plea of my constituents and be a partner in the H. pylori research project in the community of Old Crow?

Hon. Mr. Hart: To address the member opposite's question, obviously, if the member opposite would provide me with a letter, I will have officials delve into the situation for him and get back to him with a response.

Question re: Environment department debate

Mr. Elias: When I saw the order of business to be conducted in the Legislature today, I was surprised and then concerned because the environment was not put on the public agenda by the government. I was looking forward to debating topics of concern to Yukoners, like the overpopulation of our wood bison herd, the dwindling Southern Lakes moose population, the Porcupine caribou herd decline, and the need to renegotiate the *Porcupine Caribou Management Agreement* and to discuss the legal review itself, and the very dangerous winter tick infestation of our elk herds and the threats that ticks pose to our moose and caribou populations.

Many Yukoners are worried about the state of our environment. It's the second most important issue right now, and it is now very obvious that it is not an important issue to the Deputy Premier or we would be debating it today.

Why has the Minister of Environment not called the environment for debate before we leave for Poland in two days?

Hon. Ms. Taylor: As Minister of Environment, I am very willing, able and ready to debate Environment on the floor

of the Legislature and have taken part in a number of questions over the course of the past sitting. I'm very proud of the accomplishments of the Department of Environment over the last number of years. In terms of working with our respective partners, whether they be First Nations, renewable resources councils, other governments — Northwest Territories, the Government of Alaska — Fish and Game, United States Fish and Wildlife Service, Canadian Wildlife Service, Parks Canada, and many others to work on wildlife management plans and to work on wildlife habitat inventories, on which our government has placed renewed emphasis.

As I have articulated on the floor of the Legislature, Yukon is very much one of the most progressive jurisdictions in this country in addressing fish and wildlife habitat, which we as Yukoners currently enjoy because of its healthy populations. By working together collaboratively in a number of areas, we are working to address the issues, opportunities and challenges before us.

Mr. Elias: The minister didn't answer the question. Accountability is the state of being answerable, responsible for trust, the obligation to bear the consequences of failure, to perform as expected. The Yukon Party government consistently puts the environment low on their priority list.

Yukoners deserve to hear the debate and listen to the facts and ideas with regard to revitalizing our trapping industry, the terrible state our chinook salmon fishery is in, why the lakes are draining in the Old Crow Flats, an update on the impacts of the spruce bark beetle infestation, tourism-related impacts on our riparian areas over time, impacts that all-terrain vehicles have on the habitat and access to key wildlife areas around the Yukon, dealing with recycling issues around the Yukon.

Why is the minister not prepared to debate these and many other environment-related topics on the floor of this Legislature?

Hon. Ms. Taylor: For one thing, I have extended an invitation to both the opposition critics, one of whom is the MLA for Vuntut Gwitchin, to accompany me to Poznań, Poland over the next week to take part in a climate change leaders' summit.

Yukon is one of 30 sub-national governments who are participatory, who are actually signatory to the 2005 *Declaration of the Federated States and Regional Governments on Climate Change*.

Perhaps if the member opposite would rather we stay home and debate the issues important to the Yukon public instead of going to this climate change world leaders' summit to take part in a very important issue that is on the minds of every single citizen of this globe, then perhaps we could do that. But I have extended that invitation; that invitation was accepted by both opposition critics; I'm very pleased to do that. It will give us an opportunity to speak about Yukon's response to climate change, give us an opportunity to exchange best practices, and it will also give us an opportunity to forge ahead with new partnerships to build on Yukon's response to climate change. I am very ready, willing and able to discuss the environment any time, if the members opposite are ready to.

Mr. Elias: We could have accomplished both if the minister would have called Environment for debate before we leave for Poland. Yukoners need to hear that debate, and I challenged the minister on the last day of the Legislature to call the Environment for debate. Yukoners deserve to know about their species at risk legislation, their climate change action plan and when it is going to be ready, about their special management area plans. Yukoners want to discuss the development of a comprehensive water management strategy because with our rapidly melting glaciers and snowpack, the trends are downward, and that's not good.

There were 70 million human casualties in World War II, and I am very fearful that when climate change is all said and done, the human casualties — as well as other species — on our planet will surpass that of World War II if every single jurisdiction in the world doesn't do their part. Yukoners need to know what is affecting them and their environment. When will Yukoners see a complete climate change action plan from the minister?

Hon. Ms. Taylor: Addressing climate change is definitely a priority for me as Minister of Environment. It is definitely a priority of the Government of Yukon, and to this end we are working to implement the climate change strategy, a strategy based on the four key principles of bettering our understanding and knowledge of climate change, working to reduce greenhouse gas emissions by forging ahead with energy partnerships, reducing our reliance on the less-than-clean energies, working to mitigate, working to improve our ability to adapt, and establishing Yukon as a northern leader when it comes to research and innovation on climate change.

Mr. Speaker, the government is working on a whole host of individual initiatives housed within their respective departments. In fact, there are well over 80 initiatives well underway.

Mr. Speaker, when it comes to the environment, this government is very much committed to a clean, sustainable, healthy working environment and that is why we are working to implement climate change strategy. We are working in collaboration with First Nations on the creation of a number of special management areas, habitat protection areas, for all Yukoners to enjoy. We are working to conduct wildlife inventory work for the purposes of monitoring and enforcing. We are working to promote recycling. We are working to promote waste reduction and we are working to address and identify contaminated sites.

Speaker: The time for Question Period has now elapsed. We will 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.

Motion re appearance of witnesses

Committee of the Whole Motion No. 14

Hon. Mr. Cathers: I move

THAT Craig Tuton, chair of the Yukon Workers' Compensation Health and Safety Board, and Valerie Royle, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses in Committee of the Whole on Thursday, December 4, 2008, from 3:30 p.m. to 5:30 p.m., to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

Chair: It has been moved by Mr. Cathers

THAT Craig Tuton, chair of the Yukon Workers' Compensation Health and Safety Board, and Valerie Royle, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses in Committee of the Whole on Thursday, December 4, 2008, from 3:30 p.m. to 5:30 p.m., to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

Committee of the Whole Motion No. 14 agreed to

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: We will recess for 15 minutes.

Recess

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

Bill No. 63 — Act to Amend the Seniors Income Supplement Act

Chair: The matter before the Committee is Bill No. 63, *Act to Amend the Seniors Income Supplement Act*.

Hon. Mr. Hart: I am very proud to speak to this initiative and I would like to remind members of the purpose of this bill. Currently the benefit amount and the formula for determining the amount are contained within the body of the legislation. It is our intention to amend this practice by providing the authority to set in regulation the maximum benefit amount.

Once the amendment for this legislation has been approved by this Legislature, we will proceed with a regulation that will double the maximum benefit amount to low-income seniors in the Yukon from \$100 to \$200. These changes will see eligible Yukon seniors receiving a maximum benefit of up \$2,400 per annum.

This benefit builds on the federal government guaranteed income supplement program and the old age security program to ensure that our seniors who have a modest income can remain self-reliant. In order for this benefit amount to keep pace with future costs, we will also annually index the supplement to the Yukon consumer price index. This will ensure that the

Yukon seniors income supplement will continue to keep pace with inflation.

By moving the authority to set the benefit amount in the regulations, we will in the future be able to be much more responsive to the needs of our eligible seniors. Maintaining benefit amounts in regulations, rather than embedded in the act, is the current common legal practice. This ensures that a government, Cabinet and Management Board have the authority and responsiveness to adjust rates with the proper financial authority when they are required.

This act comes into force on January 1, 2009. Concurrent with this date, the regulations will come into force with the new maximum benefit amount.

Mr. Chair, the Yukon seniors income supplement was introduced in 1982 as a supplement for Yukon seniors receiving the federal guaranteed income supplement, which is paid to all low-income seniors. The Yukon seniors income supplement was not indexed, and therefore the actual dollar impact on the maximum benefit set in 1982 has eroded significantly over the past 26 years. By annually indexing the supplement to the Yukon consumer price index, this will ensure that seniors will be more able to keep pace with the cost of living and not fall behind.

Increasing the Yukon seniors income supplement to a maximum of \$200 per month per person will result in an increase of up to \$612,000 per year, and will increase the number of recipients to approximately 660. This is due to the increase of the threshold based on the eligibility criteria. This enables an increase to the number of seniors who will benefit from this supplement. The annual cost of the Yukon seniors' income supplement is expected to be around \$830,000 in total.

Mr. Chair, I would like to speak to a few issues that were raised by the third party in the notice of motion brought forward in November. In answer to making the application process automatic for the Yukon seniors income supplement, I believe there was a misunderstanding about the need to apply for the Yukon seniors income supplement. Yukon seniors do not have to apply for YSIS. It is automatic if you are eligible under the federal guaranteed income supplement program. Seniors do have to apply for the GIS one time and one time only, and then they can reapply automatically each year for the GIS when they file their income tax return.

In regard to raising the supplement amount per month, this government feels the \$200 maximum benefit is appropriate at this time, and any increase to this amount could be looked at for future years by any future government. However, we are ensuring, by indexing the YSIS, that it will keep pace with the cost of living.

As I stated, changing the act so the regulations are in place to make changes in the future enables any government at a future date to make adjustments in this area to accommodate seniors.

The last issue raised was the implementation of a public communication strategy about the program. Seniors are aware of the program and this government feels confident that the information is readily available to all those who require it.

However, steps are being taken to augment information currently available within the department.

This act will come into force effective January 1, 2009. Concurrent with this date, a regulation will come into force with the new maximum benefit amount.

Mr. Chair, I would encourage members to support this important legislation as it will enhance the lives of our low-income seniors by increasing their income and help them to meet their increasing cost of living.

I will now address any questions the members opposite have.

Mr. Mitchell: I will be very brief. I put on the record at second reading my support and our party's support for this legislation, which I think is good legislation. I understand the reasons as explained by the minister to move the adjustments into the regulations and out of the act for flexibility and the ability to respond more quickly. We support them.

I don't really have a lot of specific questions; it's a pretty short act. Can the minister tell us what is the current income cut-off level for eligibility?

Hon. Mr. Hart: When you reach in excess of \$15,000 of income you will no longer receive the Yukon seniors income supplement.

Mr. Mitchell: Presumably that's all forms of other income. Is that eligibility set by the federal government — based on what you were saying, the eligibility for the seniors income supplement is based on having applied once for the federal guaranteed income supplement, and then you continue to be qualified to receive this automatically?

Hon. Mr. Hart: Basically \$15,600 is the end of GIS. Once you receive that income, you no longer receive GIS; therefore, you no longer receive or are eligible for the YSIS program. I will state, however, that the program cut-off under its current status is approximately \$4,800 for those receiving YSIS. With the extension of the \$200, the cut-off is now just a little over twice that, at \$9,800.

Mr. Mitchell: This may get into areas of tax law that I'm not familiar with, but hopefully this is a question that can be answered.

Now that this will be within the regulations and not within the act, is there any contemplation of methods or is there the ability to have this supplement not automatically tied to the levels set by the federal government and the guaranteed income supplement or are there taxation reasons why it has to be? In other words, is this Yukon policy or is this required by tax law?

Hon. Mr. Hart: For the member opposite, this is obviously a tax issue with the federal government and thus, for example, when you apply for the GIS you automatically become eligible for YSIS under the Yukon government's application process. Therefore you don't have to apply directly for YSIS under our program as long as you are eligible for GIS under the federal program.

Mr. Mitchell: In the minister's second reading remarks, he made reference to some of the other things that his government has done and is doing, including indexing the pioneer utility grant, which is something that we certainly support. That indexes it to a particular index, the consumer price index.

There are times when that index, because it covers a broad basket of goods, may not be as reflective of particular areas where there have been large and rapid increases because that gets averaged in with the whole basket.

So, for example, food and other things may not have changed, but fuel oil or propane or cordwood — being that this is the Yukon — may have gone up fairly dramatically. Since the minister sort of opened the window a little bit by talking about that, is the minister open to looking at some other form of adjusting the pioneer utility grant when these things spike that perhaps have an outsized effect on Yukon seniors, in order to accommodate that? Because, obviously, those issues can't be accommodated, from what we've heard today, with the seniors income supplement, since they are tied directly to the federal guaranteed income supplement.

Hon. Mr. Hart: I'd just like to use the example he gave — fuel. Six months ago, I was paying \$1.41 for gas. Today I'm paying 91 cents. In a lot of ways, the CPI does provide a broader context and encompasses many of these issues. Also, the CPI provides us with a very good assessment of what's happening here in the Yukon.

In addition, many of the items that we use in the Yukon — whether it's fair wage or minimum wage and all other aspects — are using the CPI index. It's a common denominator in our process. Everyone knows, for example, effective the end of January each year, what the minimum wage is going to be on April 1 of every year. Also that same thing applies for the fair wage schedule. We feel that that's a very common denominator; it's something that's specific. We can put our eyes on it; everybody knows what that's going to be, and we feel that that's more than an adequate process. We have doubled the maximum amount under this program. We have doubled the number of people who are eligible under this program. We have hit a specific area of the economy that is really in need of assistance, and we feel that this particular aspect is very important indeed. And as I stated earlier, we will put the regulation in effect, after the act goes through, so if a government decides at a future date, as the member opposite indicated, that they would like to increase that facility, then there's ability to do so without having to change the act.

Mr. Mitchell: Just for the minister's benefit, I would point out that yes, gasoline at the pump has come down quite a bit, but fuel oil, for example, which probably affects more seniors — a lot of seniors are heating but not necessarily driving — has not come down all that much.

Cordwood, last I checked, hasn't come down at all.

There are a fair number of Yukon seniors who are heating with cordwood and I don't think cordwood even gets into the consumer price index. It is an increased cost that seniors may be held hostage to, so to speak, that doesn't get in there. We all know what seems to happen with the other petroleum-based products, which is that the price of gasoline seems to spike in the summer when we are using it the most and the price of fuel oil is relatively lower, and then those two seem to reverse in the winter and that has been attributed to refinery shortages, capacity shortages, although many Yukoners have certainly ex-

pressed concern that it could be something, perhaps, more deliberate than that.

I'm not certain that even gasoline — the minister has officials with him — but I'm not even certain if gasoline is actually even included in the consumer price index. I don't know if it is included. In any case, I just hope that the minister will remain cognizant of those areas that are impacting on seniors.

I know that the third party wants to get into the debate and has some questions. Thank you.

Mr. Edzerza: I believe I may have already read in some of the problems before, but just to make sure — there's not a whole lot to put here but I will read them into the record again. Some of the problems that the third party has with this income supplement act are — for one, there appears to be very little information available generally about the program. The seniors information centre only has a local phone number and a little knowledge of the eligibility or process for applying. The Health and Social Services Web site for the Yukon seniors income supplement says that “individuals who are eligible for this program will automatically qualify when they apply for the federal pensions.”

That has not been the case in our experience. Casework done shows that it is not automatic, and sometimes it is blocked for no good reason. We have been working on a case now for several weeks, probably months now, where this is not the case. The individual has been put on the federal list as being eligible, but refused in the Yukon. So there is a problem there somewhere, and the minister probably knows exactly what case I'm referring to, because I believe there were letters written to the minister on behalf of the individual who was having a difficult time.

So I'll just ask a couple of questions and that'll be it for me. How is information on the GIS and YSIS communicated to the applicant? Will they have a communications strategy on this supplement, and what is it?

Hon. Mr. Hart: I'm not specifically sure what items the member opposite is discussing with regard to the specific case. I will state that currently, as I tried to explain earlier, under our current act members are only eligible for the Yukon seniors income supplement if their income is ranging in the area to a maximum of \$5,000 over and above the GIS.

In relation to what the member opposite was discussing, it could have been that the individual — you can still be eligible for the GIS currently under our program, and you still can, even now, and still not be eligible for the Yukon seniors income supplement. It's all based on the total income. But if you are eligible for GIS, you automatically become eligible in our stream for the Yukon seniors income supplement if your income falls within the brackets I've previously indicated.

Right now, our cut-off — which is pro-rated based on that — is \$9,600. The GIS total income is \$15,600. When the applicant makes the application under their tax return for the GIS, through the federal program an analysis is made and that analysis is forwarded to us. From that, we make our adjustments through the Yukon seniors income supplement program and provide —

For the member opposite, if you get the maximum GIS from the federal government under the gross income tax, you will get the maximum Yukon seniors income supplement. For every dollar less than the maximum of GIS, your Yukon seniors income supplement reduces by the same amount — sorry, by 50 cents.

Chair: Is there any further general debate?

Seeing none, we'll proceed clause by clause on Bill No. 63, *Act to Amend the Seniors Income Supplement Act*.

On Clause 1

Mr. Mitchell: With the consent of the third party and all members present, I would request unanimous consent to deem all clauses and the title of Bill No. 63, *Act to Amend the Seniors Income Supplement Act*, read and agreed to.

Unanimous consent re deeming all clauses and title of Bill No. 63 read and agreed to

Chair: Unanimous consent has been requested by Mr. Mitchell to deem all clauses and the title of Bill No. 63, *Act to Amend the Seniors Income Supplement Act*, read and agreed to. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 1 to 5 deemed read and agreed to

On Title

Title agreed to

Hon. Mr. Hart: Mr. Chair, I move that Bill No. 63, *Act to Amend the Seniors Income Supplement Act*, be reported without amendment.

Chair: It has been moved by Mr. Hart that Bill No. 63, *Act to Amend the Seniors Income Supplement Act*, be reported without amendment.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Nordick: Mr. Speaker, Committee of Whole has considered Bill No. 63, *Act to Amend the Seniors Income Supplement Act*, 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.

GOVERNMENT BILLS

Bill No. 63: Third Reading

Clerk: Third reading, Bill No. 63, standing in the name of the Hon. Mr. Hart.

Hon. Mr. Hart: I move that Bill No. 63, entitled *Act to Amend the Seniors Income Supplement Act*, 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. 63, entitled *Act to Amend the Seniors Income Supplement Act*, be now read a third time and do pass.

Hon. Mr. Hart: At this time I'd like to thank the members opposite for their comments on this bill. I think it's a very important bill, providing for those in need, and I look forward to its implementation early in the new year.

Mr. Mitchell: I won't be very long. As we said at second reading, the Liberal caucus, the Official Opposition, supports this legislation. We can support increasing the seniors supplement. Much of the lifestyle we enjoy in Yukon is the result of the good work done by those who came before us — our seniors and our elders. It's important that we ensure that their senior years truly are their golden years, and that is not always the case.

We're pleased to see the minister is announcing that the increase will be from \$100 to \$200 a month, or up to \$2,400 a year. It's a positive thing that it be indexed to the consumer price index. We support removing the calculation from the act, where it presently resides, and leaving it to the regulations. This will allow for greater flexibility and more timely adjustments to rates when this is needed for those seniors who require this assistance.

As we all know, many seniors live on fixed incomes, on pensions and on whatever funds they have managed to save during their working years, so this supplement is important to them.

We would also look forward, since the minister and I have debated it, to seeing additional things done beyond simply indexing the pioneer utility grant, toward perhaps seeing not only indexing it to a consumer price index, but as we hit periodic times when utility costs such as heating fuel costs, propane costs or even the price of cordwood move up rapidly, that we can respond.

I know the minister has indicated for the record that he thinks the consumer price index is sufficient, but on that we do differ.

We also encourage the government to actually increase the base amount of the pioneer utility grant as opposed to simply talking about doing it on a straight index tied to the consumer price index, because the utilities may go up far more — the cost of fuel oil, propane or electricity — than that comprehensive index may reflect, since it's based on a wider basket of goods.

I'd like to thank all the officials who did the good work of drafting this legislation. This is good legislation and we will be pleased in the Official Opposition to vote in favour.

Thank you, Mr. Speaker.

Mr. Edzerza: I would like to put on record that any improvement to support seniors is a good thing. Our seniors have put in their years of work and deserve to be cared for financially in any way that is possible as they get into the golden years.

One thing I would recommend to the minister is that there be some kind of a process to communicate to the seniors their eligibility with regard to the \$100 increase. As recently as three days ago I was asked about this by a couple of seniors in a coffee shop. So I think it is important to have some kind of a strategy to assist the seniors and educate them on what they are really eligible for in all programs that support seniors. I thank the officials for the work that they've done to assist the minister, and I thank the minister for bringing this forward. We will be supporting this.

Thank you.

Speaker: If the minister speaks, he'll close debate. Does any other member wish to be heard?

Hon. Mr. Hart: Thank you, Mr. Speaker. Again, I thank the members opposite for their views, and look forward to enacting the legislation.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Fentie: Agree.

Hon. Mr. Cathers: Agree.

Hon. Ms. Taylor: Agree.

Hon. Mr. Rouble: Agree.

Hon. Mr. Lang: Agree.

Hon. Ms. Horne: Agree.

Hon. Mr. Hart: Agree.

Mr. Nordick: Agree.

Mr. Mitchell: Agree.

Mr. McRobb: Agree.

Mr. Elias: Agree.

Mr. Fairclough: Agree.

Mr. Inverarity: Agree.

Mr. Hardy: Agree.

Mr. Edzerza: Agree.

Clerk: Mr. Speaker, the results are 15 yea, nil nay.

Speaker: The yeas have it.

Motion for third reading of Bill No. 63 agreed to

Speaker: I declare that Bill No. 63 has passed this House.

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.

Bill No. 12 — *Second Appropriation Act, 2008-09* — continued

Chair: The matter before the Committee is Bill No. 12, *Second Appropriation Act, 2008-09*. We will now continue with general debate on Health and Social Services.

Department of Health and Social Services — *continued*

Hon. Mr. Hart: I will try to be brief and allow the members opposite to ask further questions. I know our time this afternoon will be short, and I would indicate that once my assistants get in here, I'll be prepared to respond to the members opposite and get on to dealing with members' questions with regard to Health and Social Services.

Mr. Mitchell: When we left off on Tuesday, we were discussing the pros and cons of funding for an NGO-sponsored youth shelter, and the minister was providing some history of his experiences in having visited a shelter on Burrard Street. I'm sure he's right when he says that there is no place he has ever seen that would demonstrate a homeless situation like that one.

I've been down in those areas of Vancouver, and probably worse areas than Burrard Street, and it's pretty sad. We know that there are people who are homeless in the cities and are sleeping outdoors and really have no place called home. And we do recognize that the situation in the Yukon is different, and when we refer to youth homelessness, I think it's more accurate to say youth at risk because, for the most part, they probably do have a home, although from time to time they don't have a safe home to go to.

I think we were pretty tired at the end of that day, Mr. Chair, and I would just like to ask the minister again if he would be open, as opposed to saying that he's waiting for the non-profits to provide yet another business plan — because, from the discussions I've had with them, they're not convinced that they haven't provided the information that had been previously asked for, and it seems to be a communications problem — would the minister consider having some of his officials work cooperatively with the various NGOs and First Nations who are trying to get a shelter up and going, and have at least secured a location but obviously don't have O&M funding and, according to the minister, don't have the expertise to do up the appropriate business plan — would the minister consider having his officials work cooperatively with them to try to create a

business plan that the minister and the department feel they could support?

Hon. Mr. Hart: I thank the member opposite for that question.

When I was reviewing these types of facilities Outside — and as I mentioned, I have had discussions with those jurisdictions with regard to providing assistance for youth or young adults in some cases — it has been a fairly specific and consistent theme in the whole process. The thing that seemed to be coming through in pretty much every case is the fact that we can't just provide a roof over their head and allow them to flop. Secondly, we have to provide professional services. Thirdly, there has to be 24-hour supervision and security — not only for the individuals there, but for the staff.

The appropriate accreditation, in almost all cases, is being provided to ensure that the youth who are there and being cared for, are being assisted and provided the programming and assistance — mentally and whatever else is required — to keep that individual, shall we say, somewhat independent.

But in all cases, security and professional services are provided, and they are being provided by professional people. These facilities that I looked at, as well as the ones I've discussed with other jurisdictions, are all pretty much the same. They are dealing with skilled individuals, dealing with psychologists, dealing with individuals who have the appropriate training to assist these people.

I will discuss again the situation I saw on Burrard Street, which was very enlightening, to put it politely. They were utilizing a facility that is scheduled to be demolished in the 2010 process. It is an older building — again a bunch of cubby holes. It looks like an old lawyer's office. It had a nice little boardroom with a metal roof. It sort of didn't fit the surroundings but obviously they were utilizing it as their actual boardroom. I was very impressed with how they ran the operation. I also caught their diploma on the wall and asked what it was about and was given a really good detailed explanation of what it was and I was also given a rundown of what it costs to run the organization within reason and to be accredited. It is not an inexpensive task, I will say also.

Now the member opposite said things in Yukon are a little different. Yes, they are — no question about it. We don't have the vast volumes that a place like Vancouver has, that a place like Kamloops has, but Kamloops doesn't have a large facility either. They use facilities similar to what we have.

Now, I had some discussions with my colleagues in Alberta with regard to this also, and the key item is you have to identify the numbers that you are talking about. How many people are actually homeless? What is a homeless person? The member opposite said they may have a home. Is that homelessness? I'm not sure.

In discussions, again, with other people in other jurisdictions, couch-surfing was an issue we had great difficulty with. They don't have any ability in how to identify those persons. It's not just necessarily female youth who are couch-surfing Outside. They have no way of identifying what that number is.

They do have a way of determining how many people make application to the shelter, wherever that shelter may be,

whether it's the Salvation Army or provided by the provincial government. So they are able to determine their numbers that way. Again, their numbers are not exact but, in many cases, they are able to determine what the numbers are. To give the member opposite an example, I don't know if he attended the session at the High Country Inn recently during Anti-poverty Week, but there was a gentleman there from Toronto. He presented a case that very much dealt with the homeless situation in Toronto. It was a very different and apropos approach to homelessness. It seems to have had great success for them in their particular case.

I will say that, in looking at many of the situations as they reflect dealing with this particular application, I have tried to be very explicit. I have tried to keep things within reason. I have met with the coalition on two separate occasions. I have been receptive. I have indicated that, when they are able to provide us something to look at, then I am willing to look at what is presented.

In essence, I guess what I am trying to get across to the member opposite is that just opening a building is not going to solve the problem. It is a bigger problem than just providing a roof over their head. I think I stated this earlier: every person who drops into a drop-in centre or — it doesn't matter, I can probably name off four or five that we've had some direct contact with — it is the same situation. With every youth there is an assessment done when they come in the door — every one there has an assessment done. It is done by a professional.

Again, we get back to the aspect of dealing with providing assistance for these individuals around the clock. All of the facilities are 24 hours. All of the facilities that we looked at also provide security — great security. And you're not allowed to, shall I say, misbehave. Because if you misbehave — if foul language is used to those who are in the facility, for example, you are asked to leave. Now that's not to say that you can't come back. They have indicated to us, on several occasions, that individuals have been asked to leave but they are allowed to come back as many times as they wish, as long as they're willing to abide by the rules of the facility.

And I will say that, of course, every facility is a little bit different, but the one on Burrard Street, I would have to say, was pretty close to a jail. If members opposite could see some of the individuals in there, you could probably understand why. But those people need assistance. It's a forum or an area they can come to and deal with their specific situation at that time.

Now, as I mentioned, the facility on Burrard is not an overnight facility. It provides people a place where they can warm up and get rest for a period of two to three hours, and then they have to leave.

When I was being guided around the facility, a social worker was talking to these people by their first names, and obviously they had — for example, they also had animals in this facility. Again, it was seen as a very good, shall we say, natural aspect to allow the individuals there — because many of these people don't have a family, so animals are seen as a good companion and don't provide a threat to the individual.

So they do have lots of programming available in this facility. They have a registered nurse, and believe me, Mr. Chair,

if the members opposite could have seen what I saw in her office when I walked in there — it definitely opened my eyes.

The nurse had a collection of — I don't know how to politely say this — items dealing with safe sexual aspects in dealing with this process. Here we are in this facility and all this stuff is right in the open and very free. Everyone thinks about it as calmly as anything.

There is also a facility to deal with those requiring housing and individuals who are there to take that on. Again, programming is available; it's provided by professionals and these people are directed to the other appropriate government services that are available to them, either housing or education — if they want to advance. There are other facilities available and they are forwarded to those facilities.

Now, as I said, it was definitely an eye-opener for me with regard to the actual clientele, but it was well-run and well-organized. I would have to say that they were definitely going a long way to beating what these individuals were looking for, as far as meeting their needs. I was very pleased with that process.

In addition to this, we have discussed this many times in this House: the Outreach van. We have on several occasions increased our funding for the Outreach van. We have also funded the Outreach workers through our Many Rivers Counselling Services program. We have doubled our funding to FASSY, again; youth at risk — again these are people who are in need of money. We have increased our dollars to women's shelters, as I have indicated here on several occasions, as well as being announced in the process. The member opposite said it himself in his tribute today that we have to increase the services for women who have to put up with violence in the house or in the family.

We are meeting that need and we are hoping to also assess and provide increased facilities for single parents and their families in the very near future in the Riverdale area. Hopefully, that will also meet the needs and requirements of those individuals who indicate that affordable housing for that particular segment was in great need, and thus we are moving forward on that particular issue.

Hon. Mr. Cathers: As per standard practice on afternoons when we are receiving witnesses from the Workers' Compensation Health and Safety Board, typically 15 minutes before — in this case, roughly 12 minutes before — they arrive, we usually report progress. Therefore, I move that we report progress.

Chair: It has been moved by Mr. Cathers that Committee of the Whole report progress.

Motion agreed to

Chair: Pursuant to section 109 of the *Workers' Compensation Act* and Committee of the Whole Motion No. 14, the Committee will receive witnesses from the Yukon Workers' Compensation Health and Safety Board. In order to allow the witnesses to take their places in the Chamber, the Committee will now recess and reconvene at 3:30 p.m.

Recess

Appearance of witnesses

Chair: Pursuant to section 109 of the *Workers' Compensation Act* and Committee of the Whole Motion No. 14, adopted earlier today, Committee of the Whole will now receive witnesses from the Yukon Workers' Compensation Health and Safety Board.

I would like to ask all members to remember to refer their remarks through the Chair in addressing the witnesses. I would also ask the witnesses to refer their answers through the Chair when they are responding to the members of the Committee.

Mr. Hart, I believe you will introduce the witnesses.

Witnesses introduced

Hon. Mr. Hart: Mr. Chair, the witnesses appearing before the Committee of the Whole today are Craig Tuton, chair of the Yukon Workers' Compensation Health and Safety Board and Valerie Royle, president and chief executive officer of the Yukon Workers' Health and Safety Board.

Chair: Would the witnesses care to make an opening remark before we continue?

Mr. Tuton: I would like to thank everyone for an annual opportunity — an annual opportunity. There have been many annuals now for me. It's an opportunity for us to bring the Legislature up to date with the current and past happenings at the Yukon Workers' Compensation Health and Safety Board.

It's always nice to start off on a positive note. As I was driving in today to attend this afternoon's session, it was interesting to note that the sign on the outside of the building is down considerably from where it was last year. That's a good note. I look forward to responding to any questions.

Mr. Fairclough: I do have some questions. Some of them have come from industry and some will be from the report that was tabled in the House. I would like to thank the witnesses for coming forward, both the president and the chair. It's a good thing that we do have this take place on an annual basis for clarification directly from WCB. There are some things about which we do need clarification. I just want to get into the report that was tabled.

There's a minor point that's still basically causing us some confusion, I guess. It's on the last page of the report, and it's the "Year at a Glance" section there. We know that there's a lot of information there, and we hope that it remains included in future years' reports. Unfortunately, at this point, the numbers provided don't seem to add up, and I believe we've been asking this question before too, on a year-to-year basis, in the way we would like to see them.

For example, over the past three years, Workers' Compensation Health and Safety Board's annual reports have reported the numbers of workers covered by Workers' Compensation Health and Safety Board. For the operational year of 2005 — and I just happen to have photocopies of some of them here — WCB reported an increase in the workers covered by WCB from 18,400 to 19,100 workers.

And then the following year, the operational year of 2006, the report was an increase in coverage from 18,400 workers to 20,100 workers. We questioned this discrepancy last year, but

really didn't get a very clear response from the officials. So I'm going to be asking this again. Now, in the report this year that was tabled for 2007, Workers' Compensation Health and Safety Board is reporting an increased coverage of 19,300 workers to 19,600 workers. I guess a very simple way of looking at it is, as we go from year to year, what was reported the following year is not the number that is reported in the report the next year.

If we looked at 2005 — 19,100 — then all of a sudden in 2005, in a different year's coverage, there is a reduction of 18,400. And then even from there — from 2006 of 20,100 — that same year, in this year's report, is 19,300. There is a difference of 800 workers. For anybody to pick up the report and read it, they would see that there is a big number difference between the two years.

It seems skewed when you look at it and the numbers are different. I'm just wondering whether we can get some clarification on this. What are we missing? What am I missing in reading this? How do I take this message back out to industry and explain it to them? I guess I am trying to get your words given to me so I can explain it.

Mr. Tuton: Mr. Chair, if you note at the very bottom of the page, under "notes", it clearly says that estimates may include revisions to prior releases. What that means to us is — by using our figures, they sometimes need to be restated once we have input from the department of statistics. So that is how that number may change.

Mr. Fairclough: It is understandable that it could change that way.

I guess part of the problem that we have here is that the report is done — we get it sometime in August — much time has gone by and information is gathered and so on. Are the numbers so far off between the time the report comes out and the end of the year that it is being reported that it has to be reflected that way? How can we get more accurate numbers?

Mr. Tuton: One of the other compelling facts here that may affect these numbers is that we have an association across Canada. It's called the AWCBC — the Association of Workers' Compensation Boards of Canada. Within the guidelines and structures of that association, there is a reporting method that provides all jurisdictions to be able to report consistently and the same across the country. That is also one of the restrictions we have that may affect those numbers. We have to follow the reporting guidelines of the AWCBC when we do that.

In answer to your question, I am not sure that there is anything we can do. I honestly can't see that. The reason that it has to be so consistent is that the number of workers we cover in the territory affects many, many other areas within our policies and guidelines in WCB.

Mr. Fairclough: Well, I thank the members for that answer. I guess I would go the same with my next question because, as I'm referring to the year-to-year, the numbers are not the same when it comes to the lost-time claims and the lost-time rate per 100 workers. Again, if there's a different explanation, I'd ask the chair to explain that, because the numbers don't reflect the previous years.

The other thing that's in there was that there was a significant increase in 2007 from 2.7 to 3.2; it's on the same page, on the last page of that report. I'd just like to know what's driving this and what we can expect this year.

Mr. Tuton: The lost-time rate per 100 covered workers is driven by the lost-time claims, which is the column directly above lost-time rate per 100 workers. So the lost-time claims increased from 516 to 625, and that changed the per 100 from 2.7 to 3.2. So it's just a reflection of total lost-time claims and the number of workers who are covered.

Mr. Fairclough: Also, to understand this a little more clearly as I read through this I see the number of workers covered by the incidence of — for example, the chair said, "I was glad to see that the numbers are down." And so are we. That's perhaps a reflection of industry stepping in and making improvements in the workplace. And then, below that, there are claims and accepted claims. I'm just wondering whether we can get an explanation of the difference between the two of them.

Ms. Royle: We knew that there are some questions about the difference between what is a reported claim versus a claim versus accepted claims. So if you look on page 7 of the annual report, you can see what the difference is. It's all explained there. So the number we have on the sign is absolutely everything that's reported to us.

That is important because that reflects a hazard in the workplace. So perhaps the person wasn't injured to the point that they needed medical attention or would even lose time from work, but because they felt there was hazard enough to report it to us. So that is important.

If the worker needs medical treatment from the doctor but doesn't lose any time then we have a claim for compensation. Then we adjudicate the claim, so not all claims are accepted. Some didn't arise in the course employment so we then look at the accepted claims; they are different from the number of claims. So that is the difference, and I think it is fairly well spelled out on page 7.

Mr. Fairclough: I thank the members for the answer to that question. As we talked to businesses, of course, the whole question of assessment rates keeps coming up. We know that the incidence rates are down. I think, 1862 is the number we have. There are lots of good things about that, of course — the fact that we have less human trauma and less cost to employers.

Like the chair and the president, we too appreciate the outcomes of that and encourage everything that can be done to reduce it even further.

Now, there is a 10-year average formula that was used to establish the assessment rates. This was a different formula than was used in previous years. I wonder if we can be provided with an explanation of the differences between the formulas. Why was it changed this year? Also, for the interest of industry and business, what would it take to reduce the assessment rates?

Mr. Tuton: The short answer to the question is that there was no change to the formula used to determine what the assessment rates were going to be. I should say that the process

that we go through on an annual basis to determine what the assessment rates are going to be is quite complicated.

In essence, it is really calculated by our actuaries who go through a whole convoluted process of looking at all the data that we have — from numbers of workers, numbers of employers, numbers of injuries, total time lost, total injuries with no time loss, et cetera, et cetera — so it is quite complicated.

Further talking to these assessment rates, what we as a board initiated — because we at the board agree with the member and we would like nothing better than to be able to reduce the assessment premiums that we charge employers by 50 per cent or more. That is our long-term goal of the board. What we can do to help achieve this is something that we have been working on for quite some time. We started last year by holding individual industry group sessions to talk about how we go about setting assessment rates, what we use to determine how they get put in individual industries and how the industry performs. We have provided data to the industry groups to show them where their industry stood as far as numbers of incidents and claims compared to the total system.

I should predicate my comments by saying that, in the past, we were not able to provide this to employers because the process we would need to go through to get to those numbers — that data would be time consuming, and we'd never be able to provide it on a timely basis. So with the advent of our new claims system, which is our IT system, we are now able to develop that data on an immediate basis, and we are able to provide that to employers.

Further to that, we have been working with our employer groups and all industries to help them reduce incidents in the workplace. I think, and our numbers show, that we've been quite successful. We're not, by any means, where we want to be, but we're very close. And as we move forward, each industry group is going to have a better understanding of what it takes. It has to be a collective situation. We, as the Workers' Compensation Health and Safety Board, are not going to be able to achieve those lower assessment premiums without the full support and full partnership of all of our industry groups.

We introduced, through the Legislature, our new act, which now provides us with a return-to-work segment, a segment that we didn't have before. This is going to go an extremely long way in cutting down those long-time disability claims. If we can do just that alone — if we can, as I think I've said many, many times — and reduce the time of each claim simply by a few days, it's going to mean millions of dollars of savings to the system, which in turn is going to mean that we're going to be able to reflect that when we set our assessment premiums each year.

We recognized a long time ago that it wasn't just the issue of how employers treated their workers or respected their workers' safety. It was also recognition of the way that we, at the Yukon Workers' Compensation Health and Safety Board, did business. We had to look internally at any way that we could to help to reduce these numbers. We were able, through internal efficiencies and better management, to reduce things like the time from putting in a claim to that claim being adjudicated. Think for one moment that it was taking at one time, 37

or 38 days from the time of a claim being put in to it being adjudicated — well actually as high as 70, but that was quite some time ago — and now we're way down.

But what that means in terms of cost is that the longer we wait to adjudicate a claim, the longer it's going to take that worker to heal and be prepared to go back to work safely and effectively. So with the duty to accommodate, with the return-to-work legislation, with the internal efficiencies that we've built within the system, those are all things that are going to help. And another obvious step that we have been able to take over the last year and a bit is in developing and hiring an investigator. That investigator, just in the first year of operation, has saved the system some \$2.5 million and climbing, and that's not a number to sneeze at. That investigator is not only there to investigate fraudulent claims, but he's also there to ensure that our health care providers are being responsible in how they bill the system; it's also there to make sure that employers who should be registered are registered with the Yukon Workers' Compensation Health and Safety Board.

I hate to say it, but there are cases where there are employers here in the territory that aren't registered with us. One of the other ways that we are working to complement that end is that we have signed an agreement with Revenue Canada and that allows us the ability to work with Revenue Canada to make sure those companies that are on the roll of Revenue Canada are also on the roll of the Yukon Workers' Compensation Health and Safety Board. So I hope that answers your questions.

Mr. Fairclough: It does. It answers a lot. My next question was to ask what was being done to reduce the cost to the system. I thank the member for all that information passed on here.

I just want to stick with this report just a little bit longer. I did notice that the assessments and revenues were up quite a bit from 2006. We do have a decrease in the incident rates; it's down quite a bit from information provided in this report.

In the 2007 report, we had an increase in the incident rates over the previous year but we've had a decrease in the amount of money we're spending on the workers' advocate. I know that the appeal tribunal and workers' advocate is one amount — or should be. Are we expected to see this number for the workers' advocate remain the same or reduced because of the reduction in incident rates?

Mr. Tuton: Thank you for the question. The question around the workers' advocate office is a good one. The short answer is that you can expect to see the costs go down at the workers' advocate office, and there are a number of reasons for that.

We would actually like to see, as would all of our employers and employees across the territory, the role of the workers' advocate being very limited, because what that means is that the system is working the way it was designed and developed to work to make sure that the worker, when injured in and out of the course of the workplace, was covered. If, in the eyes of the worker, he was not covered, there was an ability then and only then to go to the workers' advocate office and appeal that decision.

You will notice at the back there, as well, that the actual number of appeals that were heard by the tribunal from 2006-07 were drastically reduced by more than half. What that means is that in the internal efficiencies that were developed at the board offices, the adjudication process, which is what I spoke about just a little bit earlier, is being improved immensely. The appeals that were heard by our hearing officer were up. What that means in process is that the hearing officer is the step prior to going to the workers' advocate office.

The increase, which is only a handful from the year previous, indicates that we have been successful in our internal efficiencies, and if we continue to see that develop as we go year by year, then you will definitely see the costs related to the workers' advocate office reduce. The other thing that reduced this year, which makes us at the board extremely excited and happy, is the claims cost, and that again reflects on all of those numbers. So I hope that answered your question, sir.

Mr. Fairclough: In trying to look at reducing expenses and the costs to the system, I just noticed though, in the general administration and administration, that number has gone up. Is that just due to wages or are we expecting to see this number reduce simply because of the decrease in workload?

Mr. Tuton: The board has given direction to the executive over the last three years to maintain a zero budget increase. This is the first time in three years that we have shown a slight increase. You are correct that the majority of that increase is for wage increases.

It is our intention to maintain that zero-increase budget process as we move forward. Sometimes it is a challenge and you can see that. On the one hand we are asking administration to effectively initiate efficiencies within each department of the board and, in most cases, we are not providing any additional resources or funding to help achieve that.

I think that from the administrative point of view, we have done a great job. We can always look at further efficiencies and always look to see if there are other ways to save dollars. My friend sitting beside me is always very quick to point out how we can do that. Those roadblocks that come up in providing the services to clients, we can't overlook. We must make sure that, at the end of the day, our mission and our mission value is to maintain an adequate compensation system for those workers who get injured in and out of the course of their workplace in Yukon.

Mr. Fairclough: Thank you for that answer. I do have a bit more with regard to the report itself. In talking to businesses, what they want to see is a better reporting system. We have this annual report that's done up for the previous year, and I believe it's under the act to provide that to the Legislature. But what business would like to see is a quarterly report — something more up to date — given to them, not so much tabled here in the House, but provided for them to look at the information. Has Workers' Compensation Health and Safety Board considered this? Are they working on something with business and industry to, I guess, make numbers more available to them on a quarterly basis?

Mr. Tuton: I'm going to ask my colleague to respond in a moment. It's a good question.

The process we went through with industry and the industry groups and all the employers in the territory over the last year revealed to us a number of areas of concern to employers. It's interesting to note, though, that I'm heading into my 10th or 11th year as chair of the Workers' Compensation Health and Safety Board in Yukon. It's interesting to note that, as we flow through the cycle, when I first started as a much younger man, the issues at the Workers' Compensation Health and Safety Board here in Yukon were totally different from what they are here today. The interest from employers back when I started was almost zero. I think the majority of employers back in those days looked at WCB — and I'll use that short form — as simply a bill that came in every quarter that covered them when their workers got injured. They didn't pay much attention, if any, to how many of their workers were injured on a yearly basis, how much our system paid that injured worker over the years or anything to do with that.

It was only since the Workers' Compensation Health and Safety Board here in the Yukon had to take action when the reserve was depleted that subsidized assessment premiums. Then when the employers had to pay the actual cost of what the system needed, they realized that this was something that they had better pay attention to. They have — and I can state this unequivocally — in the last couple of years taken a very renewed and keen interest in what happens at the Workers' Compensation Health and Safety Board.

Just with that little preamble, I will ask our president to conclude.

Ms. Royle: Two points — one, with respect to the date of the annual report, we certainly also agree that June 30 is quite a long time to have the report released. To that end, during the review of the act with stakeholders, the proposal was that we move that back to April 30. The Office of the Auditor General of Canada audits our financial statements. They also agreed that April 30 was doable. So the 2008 report will be provided to the minister by April 30, instead of June 30, so we're trying to get it more timely to employers, so that's the first point.

With respect to quarterly reporting, when we were here last year, we were asked about quarterly reporting, and I had indicated that the board has a quarterly balance scorecard that they use to track our indicators and whether we're improving on a number of fronts, and that balance scorecard report, as a result of last year's appearance, is on our Web site and has been for the year. So anybody who's interested in seeing quarterly results can go on to our Web site and have a look at how we're doing on all our targeted areas with respect to improvement or what's going on in those areas.

So we do provide that. To provide something like the full annual report, some of this information on a quarterly basis is just not possible, given how we collect and track our information, but we do provide our balance scorecard on our Web site quarterly.

Mr. Fairclough: Well, Mr. Chair, I thank the members for that answer. I'm not sure if it's well-known out there. Maybe those who are keeping track may know, and maybe there should be an information campaign to businesses out

there so that they can simply punch this up and look at the information, but I'm hoping that it is — sorry, I haven't looked at it — that it is information that they could use and they could comment on and communicate with Workers' Compensation Health and Safety Board on.

I do appreciate the Workers' Compensation Health and Safety Board taking this question seriously and the fact that the reports are sped up a bit by a couple of months — in April — and I look forward to kind of seeing them again some time soon. I only have a few more questions. I'd like to get straight to it.

While we are still talking about money — money is always of interest to a lot of people these days, particularly when it comes to investments — I would just like to know what Workers' Compensation Health and Safety Board is doing to protect the investments. We all look at the downturn in the economy and the investment revenue loss of \$2.9 million that was reported in the 2007 annual report and we understand that such things, this figure, reflects the losses in Workers' Compensation Health and Safety Board investment as of December 31, 2007.

Now almost a year has gone by, and we appreciate the significant economic changes that have occurred over the past year. More recently, there have been a few different numbers floating around in the public that refer to the current losses in WCB. So it's of interest in there — we don't have anything other than the annual report to look at, and perhaps a quarterly report that was referred to earlier.

There are always rumours out there, so we need to correct what the real numbers are versus what is being said out there. Workers' Compensation Health and Safety Board investments are — according to rumours — off by some \$9 million. Now, we look at 2007 figures, and then what could be right now. We're coming to the end of the calendar year, and lots has transpired over the last little while. I'm wondering if we can get an update as to the investments and whether or not we're looking at increased losses in Workers' Compensation Health and Safety Board investments.

Mr. Tuton: I would like to go back to the previous question just for a moment to give some assurance. When we started talking about the data and the reporting, one of the things that we committed to to the employer groups and industry groups after we listened to their advice and some of their suggestions over the last year — we indicated to them that, this year, we would be taking an opportunity to get back to them around those areas. The issue around the information, the data that is available now on the Web site, is something that we can certainly make them aware of in that process.

I'm sure that all members share with me that, when we start to talk about investments and the doom and gloom that the investments have — we would only have to look at our own personal portfolios to know. In my particular case, I don't think I have bothered to click my mouse on my portfolio for a couple of months because I'm afraid to see what is happening.

In the world of compensation boards in Canada, at least, we are very much restricted, because we only get our revenue

from two sources: one, the employers through our assessment premiums, and two our interest in income on our investments.

You don't have to be a rocket scientist to know that your investments today are not worth anything near what they were worth a few years back. When you say that the business community is talking about rumours, about what our investment numbers are at Workers' Compensation, those aren't rumours. We have been quite open and transparent with employers all through this process, as we must be, because it is employers' money. In fact, our investment is probably down in the area today of 20 percent. Our investments at one time here a year or so ago were \$130 million odd. Well, the rumours that you hear about it being down \$8 million or \$9 million, those aren't rumours. That is actual fact. We are protected in the sense that we, at Workers' Compensation, because of our benefit liability and how we must treat our liabilities over the long-term, are in the investments over the long term. The short term will not have as radical an effect on the compensation system as it will have on other systems outside of our protected world.

So are we concerned? Absolutely; we are very much concerned. In fact, as we went through the process in 2008 to go about setting our assessment premium structure for 2009, we had very considerable debate, as I'm sure you can imagine, around the reduction in our investment value and how we were going to continue to be able to meet the demands on our claims cost without affecting the employers through increased premiums. And as you can imagine, because we have a board structure that consists of two representatives from employers and two representatives from the workers' side, the issues can be quite diverse. However, one thing that is common among all parties, regardless of whether it's labour unions or whether it's workers' associations, or whether it's chambers of commerce or whether it's employer groups, is how are we going to ensure that our fund remains stable and remains 100 percent fully funded?

That's a challenge. I can tell you that's a challenge. We announced our 2009 assessment premiums some two months ago, and there was no increase in assessment premiums to the majority of employers.

So how do we go about this on a going-forward basis? The one thing we can do is ensure that our policies around our investments are conservative. We have a 50/50 structure — 50 percent bonds and 50 percent equities. We're not invested in the penny stocks, although there have been many an opportunity presented by many different groups that perhaps we should be. I can tell you, in talking to my counterparts — chairs across the country — that some of the boards are invested in some very — and I'm going to use the word "riskier" investments than we are. We're very conservative. For example, we have no investment in real estate and are probably one of the only boards across the country that doesn't invest in real estate.

Some can argue that perhaps that's not a good thing, but there are days that I can argue that it is a good thing. Some are invested in the junior stock. We are not. Some boards across the country — and I know it's a bad word in these walls — are invested in mortgages. Well, they are not very happy today, I can tell you. We are not. We are very, very conservative and

we intend to remain that way. We have looked, believe me, at all the options that are available to us to ensure that we can move forward without putting any additional pain and pressure on our 2,800 employers in the Yukon.

Really, there are no big cash amounts being taken out of our investments to cover any of these — I believe you used the word “losses”. They are losses in the sense that our investments are down and that the income we would, in good times, have been gaining is not there. They are, in fact, losses.

From time to time, we need to get cash to cover our cash shortages throughout the year, but it has never put us in the position where our fund is compromised. Now there are some boards across the country that were 100 percent fully funded prior to the economic downturn, and today they are not 100 percent fully funded. Today, we in Yukon can assure our employers and our workers that we are still 100 percent fully funded and in our statements, in our values, in our strategic planning, one of the goals and objectives of the board is to maintain that 100 percent fully funded status.

We have been asked the question of what happens if we are not fully funded? As I stated earlier, our sources of income and revenue are very simple. We only have two. The employers pay their assessments and, in good times, we gain interest and income on our investments. I'm not sure what I can add further to that other than that board is definitely doing its due diligence.

In our investments, we have two money managers; both have different strategic opportunities and deal with upturns and downturns quite differently, and we did that for a good reason, and they are then managed by another independent group that ensures that they are operating within our policies and our guidelines. I think at the end of the day though, we just have to be able to do as everyone else does: don't panic, because we're in the long term. Just sit back. It's going to turn around; it's just a matter of when, and that's the advice that we get from our money managers. Don't get too excited; we're not going to go out tomorrow and invest in, for example, single-B or C bonds. We're still a triple-B or above in bonds, and we're not going to go out and invest in junior equities. We still invest in the major equities. I hope that answers your question.

Mr. Fairclough: Thank you, Mr. Chair. I ask this because it's an issue that keeps coming forward to us, and it's a concern raised by industry and business. As I stated in my question, there is a rumour that we could see a loss as high as \$8 million or \$9 million lost. The chair said that was not rumour; it was true. Is that the actual number? What is the actual number we have?

Mr. Tuton: I'll be able to provide that in just a second.

As I've indicated to you, the value of our fund two years ago was about \$135 million — I'm just using rounded-off numbers. I think I can actually tell the member that, in actual numbers — and I have to swallow hard when I say these numbers — but we're actually down some \$20 million — not \$9 million — in our investment dollars.

Mr. Fairclough: As I read through the finances of WCB 2006-07, we see an increase in assessments going from

\$16.5 million to \$22.5 million, a little less, and the investment in 2006 was up \$15 million and down to \$2.9 million.

From what I hear, we're expected to see that number go down another \$20 million. This is on the minds of so many people out there, so I guess I have to ask the question. You're talking with financial experts and investors and so on. We're coming close to the end of the year but, really, things do not look that pretty in the next coming years. So, as far as a guess-timate or an estimate, what can we be looking at in the following year of 2009? Is it so hard to tell? I mean, are we actually going to see some gains, or perhaps more losses?

Mr. Tuton: There are those among us who think I have a brilliant mind around finances, but I'm afraid I can't see that far into the future. I can only hypothesize and hope that a number of things in the world are going to turn around and we're going to see some change. However, what I can tell you is that we're more than prepared and capable of recognizing the pitfalls we're running into as we are in this downturn in the economy and what we can do about that.

Let's just talk about that for a moment.

We can't change what's happening in the financial world. We may like to think we can. I just had an opportunity in Vancouver in November to talk to some of my counterparts across the country. With one of the boards, we were talking about the fact that we were down some \$8 million or \$9 million. The fellow — my counterpart from eastern Canada — was sitting right beside me and made me feel like a king in a castle. He said, “Don't feel bad. We are down \$3 billion in our investments.”

I guess, when you look at all those challenges we have about being a small jurisdiction, the one thing we do have is that our losses and income from our investments are minute compared to what some of the other jurisdictions have.

We all share the same concern, which is how we make sure that we stay solvent and fully funded. That is our challenge. We have our actuaries working for us quite diligently, as we speak, trying to help us get through this by determining what, if any, changes they expect, based on the assumptions that they have done over the last few months on how we get out of it.

Because of the changes that were made in the accounting world over the last little while, we have to report our investments at market value. As you know, market value today is volatile at best. I mean, it is very difficult to say. I can't tell you what our market value is going to be tomorrow or a month from now, but what I can tell you is that, based on the happenings over the last year, it certainly is going to be pretty tough to determine what those are.

Really the only way to determine that — and I'm sure you all understand that really the only true way to determine that — is if you sell something, as to whether you have a loss or whether you have a gain. When we talk about losses, it is really only losses to our income from interest. We haven't required the opportunity of selling any of our portfolios to cover some of our cash needs on a going-forward basis. Hopefully, we will be able to continue to operate with that.

Mr. Fairclough: I just have a couple more questions with regard to some of the programs. I thank the chair for his answers again. It clarifies some things and I understand the difficulty that every government, organization, company and so on is in when it comes to investments.

I did ask the question earlier about what we're doing to reduce costs in the system. There are some programs that have been put in place. I'm sure I'll find the page, but I can't seem to find it — in regard to the CHOICES program. This report is a year old. I'm just wondering what the uptake is on it and whether or not we've had any claims with regard to the CHOICES program.

Ms. Royle: The next intake of the CHOICES program isn't until February 2009, so we don't have any further updates because employers basically apply twice a year to that. However, we have just about 500 who have taken advantage of that. We've been paying out CHOICES rewards, the majority of which, we're pleased to say, are reinvestment rewards. So a lot of employers are choosing to reinvest in health and safety and return-to-work rather than take a smaller cash amount. We feel that's positive.

We will be doing a full review of CHOICES after one year of implementation. So we probably have a better idea of the success of that program and the results coming out of that when we do that review, which will be in early 2009.

Mr. Fairclough: The other thing that has been mentioned is in regard to the prevention fund. I understand that it's also a five-year program. It has had some money distributed from that and it has a few more years left and just over \$3 million. I am just wondering what the results are of this fund and whether or not there is a big uptake on it.

Mr. Tuton: In the estimation of the Board of Directors, the prevention fund has been an extremely successful program in many ways. The most important way, though, is that it has been able to allow us as a board to form partnerships with many individual groups to help us achieve the results that we want and must see in the prevention, health and safety, in providing those safer worksites.

That has been very successful. It was a five-year, or a \$5-million program. All of the funds we look at to date are committed, so there are no dollars left in the prevention fund. When I look at that — I think it's \$3.7 million — I think there's roughly about \$1.3 million that isn't committed, and the board looked at our current economic situation and decided that for next year, 2009, we would not look at spending that \$1.3 million, but to maintain it just to provide us with a little bit of insurance, if you will, in case that money is needed.

The fund in itself, though, and the programs, are working excellently.

I think the uptake that we have seen from all of our providers, which include the Yukon Federation of Labour, who have provided a great service and we are seeing the numbers of programs and services they offer increasing. Everything is being positive. I think that Val, the president, can provide just a little bit more of an update as to where we are and where we're headed.

Ms. Royle: So on page 5, there is an outline of the prevention fund partners to the end of 2007. Since then, we have also brought on, in 2008, another partner, with the Physio Plus group. They are looking at physical demands for some different types of workers — for example, long-haul truckers, who spend a fair amount of time in a sedentary position, but then have to do very extreme physical labour in very short periods of time — so their injuries and their physical capacity. So they are working on that one.

So we're quite pleased with that. As Mr. Tuton said, we've committed \$3.7 million. We haven't spent that much yet, but that's what we have committed in contribution agreements. Some of those run to the end of the project, which is the end of 2010 — so two more years are left in our prevention fund.

Currently, we have a couple of small projects in the hopper that we have not signed contribution agreements on yet, but we have funds out of that \$3.7 million earmarked for them. I certainly agree with the board's decision for 2009 not to expend any further cash if we don't have to until we see where the markets are. We are trying to balance projects.

We have seen good results when we look at money we spend with Northern Safety Network and we look at their COR certification process. We have seen the majority of employers who are COR-certified reduce their claims costs significantly in many cases. So we are seeing positive results from that and some of that can be seen in our results with our claim-cost reductions. Some of that is due to the act changes but a lot of it is due to cost reduction through COR employers as well.

Mr. Fairclough: Basically, it's shortening the amount of time. It was a \$5-million commitment and it started in 2006 — it was established in 2005 but started in 2006. This is last year's, I understand this — I'm trying to go from the numbers here — but there was a balance of \$3.798 million in that fund. From the information gathered, \$1.3 million of that is going to be kept aside and will not be used until the fund is assessed again.

The way I understand it, it wasn't going to be replenished anyway. It was going to be used until it was depleted. We have a couple of years and I would say some good programming in the prevention fund, as I read through it. I am not clear about the numbers. We have \$3.7 million in the bank right now. The president says that we have committed that this year, or is it over 2009? We haven't spent all that much out of the \$5 million that's there, and we will be shortening the amount of time that was set to deplete this fund — five years.

Mr. Tuton: I'll let Ms. Royle start and then I will respond.

Ms. Royle: When we looked at what's committed, it's the amount that has been committed in contribution agreements and most of our agreements are not one-year agreements; they go over several years. The \$3.7 million is the sum total of all prevention fund agreements from their start in 2006 to whenever they finish — whether it's the end of 2008, 2009 or 2010. So that \$3.7 million is money that we have promised our partners that we would have for them. So that's what we call committed. It's not reported in the financial report. It just happens to also be \$3.7 million here in 2007 that's left.

There will also be \$3.7 million here in 2007 that's left. What the annual report represents is cash paid out of the fund in that year, which is lower than what's committed, because we've committed some projects for two or three years of funding, so we can't touch that. Our \$5 million was in our investment fund as well, so our \$5 million isn't quite worth \$5 million any more, which is why we've put a freeze on any additional projects coming on in 2009 that we're not already addressing. So we do have \$1.3 million from the \$5 million that was originally earmarked, and until the financial situation turns around, or the end of 2009, the board will reevaluate it again; then we would look at being able to — if there are other partners who want to participate in the final year and could come on. We have enough money put aside to pay for all our commitments under our prevention fund, so our partners are assured that the projects that we've signed on with them will continue to their fruition.

Mr. Fairclough: And all of the organizations that were listed on page 5 — are they all continuing, or are some to end?

Ms. Royle: Some of those are to end. Some were very short-term; for example, Mr. Chair, the Yukon Federation of Labour and the Yukon Chamber of Commerce put together the first ever return-to-work symposium in the north. So that was a one-time event under the prevention fund that certainly enabled us to develop function abilities information from physicians and move forward. So that was a one-time thing; that's done, finished, reported on, and the accounting and everything has been done for that.

The Federation of Labour's program will end the end of this year. There's some money left so we may extend it for a couple of months, so that one is ending on the prevention fund but the board has looked at funding that one, as we fund the Northern Safety Network — provide some core funding.

The Mine Training Association is ongoing for another year at least, and that's with respect to making sure that the safety component of all the mine training that's going on is prominent and part of that program. We're one of several partners with a number of funders for the Mine Training Association.

The PARTY program is ongoing. We've renewed that for another year. The continuing care branch pilot program has just about ended. We're waiting to get the final reports from them and then we'll be able to share them with other employers who have similar type workers who are at high risk of injury.

The Human Rights Commission — that one ended. They've carried out their harassment-free workplaces and did the job; currently, because they didn't expend all the funds, they are developing those materials for e-learners and some of that has been developed. That will end when that work is done, which we expect shortly.

Property Management Agency — I believe the work is completed and we're waiting on the final report. The Northern Safety Network Yukon — we have two funding agreements with them. One is the prevention fund to look at small- to medium-sized businesses in conjunction with the Whitehorse Chamber of Commerce. That one will end at the end of this year. In addition to that funded project, we also provide core

funding to the Northern Safety Network, which the board of directors has also recently confirmed for 2009.

There was also in 2008 — so it is not in this report — the Federation of Labour held a young workers safety symposium and that was a one-time event that started and ended. What we are waiting for on that one is the plan to provide a forum for employers to hear what the young workers had to say. We are looking at actually using that forum as part of the review for the *Young Worker Protection Act* that was tabled and the motion that came out of this House to look at the young workers' safety issue. So we will be using that as part of that piece.

Mr. Fairclough: I thank the Chair for that. There are lots of interesting organizations out there that are receiving this prevention and Whitehorse PARTY program. This program is in all the schools across the territory. It says 19 schools but I'm not sure if it is a repeat — is it in all the schools around the territory or is it just Whitehorse?

Ms. Royle: The 19 schools are from all around the territory.

Students are brought into the hospital from various communities to do the program. The program is run at Whitehorse General Hospital, and we are one of a number of funders for the PARTY program. In exchange, as part of our prevention fund dollars, we have one of our safety officers or an injured worker who would go in and actually talk about workplace safety and the effect of workplace injuries because we have so many young people in that age category — the grade 9s and 10s — who are working in the territory.

It's not only for Whitehorse schools, it's also for all around the territory. In fact, because it's grades 9 and 10, if you take out all of the elementary schools in Whitehorse — there are only three Whitehorse schools that participate in that program — four, sorry: l'École Émilie Tremblay as well — the remainder are from the communities — and they've brought the program to the communities in some instances as well.

Mr. Fairclough: I realize that I've gone a little more than halfway through the time allotted for the witnesses, so I'm going to turn it over to the third party for their questions. I would like to thank the witnesses for coming forward and facing questions in the House. There is lots of good stuff that has been going on. There is a lot of interest out there from industry and business. The one issue that has been brought to us most often is the assessment rates and whether or not we can get them reduced somehow.

That has been brought to our attention time and time again. They feel that they are doing their part in reducing injury in the workplace. They feel that perhaps the assessment rate should go down because they are also doing their part.

I would like to thank the witnesses for their answers and for being here. I will turn it over to the third party. Thank you.

Mr. Edzerza: Thank you, Mr. Chair. I thank the chair and the president of WCB for being here today. However, I would like to put on record that the opposition had no advance notification of the appearance of the WCB. I believe that the Government House Leader agreed to improve on this in the future, so I thank him for that. It does help the third party and probably the Official Opposition to schedule for our daily ac-

tivities and takes some pressure off the researchers. In fact, the Government House Leader made that commitment just today, so that was good.

I have a few questions for the witnesses, and I'll try my best not to duplicate any of the questions that were already asked, and the member from the Official Opposition was fairly thorough with a lot of the questions. But I want to say that the Workers' Compensation Health and Safety Board is a very, very important component to all of those who go to work to earn a living. No one can predict when there will be a serious injury, because sometimes we take risks that are unnecessary and pay the price, and sometimes it's just a real accident that couldn't be prevented. We know that in the Yukon, there were 1,823 that were hurt on the job so far this year. I hear it's down a little, but that is still quite high.

We need to work to prevent injuries and the lives that are ruined. We need to treat injured workers with respect and take care of them. We need to retrain them if possible, so they feel that they are still a functioning and important part of our society.

I would like to just ask a few questions on the new act, which was assented to on May 15, 2008. What has been the experience so far under the new *Workers' Compensation Health and Safety Act*? What are we seeing in terms of injured workers returning to work? Are there any areas that were missed that require amendments?

Mr. Tuton: I would like to just speak for a moment if I can about your preamble. We at the Workers' Compensation Health and Safety Board here in the Yukon have a little different approach. We think that all injuries are preventable, and employers and health and safety officers play a role in ensuring that we can get to that particular point one day in the not-too-distant future.

Yes, there are accidents that are going to occur, but what we need to do is one, increase our willingness, and, two, our acceptance of the fact that all injuries can be prevented if we take the proper steps and procedures. There are more and more employers in the territory who start their workday by having meetings, tailgate meetings or coffee meetings with their employees to again remind those employees before the workday starts that today must be a safe day at work. It's only a safe day at work if you can go home from work in the same condition that you arrived at work. Those are the things that we are setting out to achieve. One of those, of course, is the return to work — and I'll let Val speak in a moment about what the actual numbers are. It's a well-known fact that if you go to work and you injure your back lifting a heavy object, the first thing that happens is you sort of just push it off and say, "You know what? I'm a tough guy. I'm a Yukoner. I can get through this. It isn't going to bother me. I'll just continue on and, you know, if I work my way out of it, it will feel good in a day or two."

Well, you know what happens, in most cases in a day or two it not only doesn't work itself out but it actually gets worse. It may take another few days for that individual to finally admit that, yes, even though you are a macho Yukoner, there is a point in your life that you are going to have to go and see a doctor and determine whether there is, in fact, a medical

reason for that pain to be causing you discomfort. The longer that process is left without seeking medical help, the longer that individual is going to be on the system. Our goals and the new act that lays out the return-to-work process are meant to help that. As I said earlier, if we can adjudicate the claim much quicker — well, first of all, we have to have that claim reported to us in a timelier manner. Yes, we are seeing those numbers. A few years ago the number of days in reporting a claim from employers was in the 30s and now it is down, in most cases and in most industries, to a workable number. We can reduce the numbers of days in reporting a claim if we can reduce the numbers of days it takes the board to adjudicate the claim, and the sooner we can get on to treating that claimant, the sooner the claim is going to be off time-loss, and it's not going to be a long-term disability.

The big cost of the system is long-term disability claims, which we are incidentally seeing a decrease in. It's because of things like the return-to-work abilities. I have spoken to many employers in the territory over the last few months who have clearly said that the ability now in the act to have the onus on the worker and the employer to get that worker back to work has generally helped immensely. There is a shortage of labour still. Everything we can do to get that worker back to work, even though he isn't in his pre-injury job, at least he is back performing a function that allows him to get up in the morning, go to work and feel like he's contributing to the family.

I will ask Val now if she can support those with numbers.

Ms. Royle: When the act came into effect on July 1, at the Workers' Compensation Health and Safety Board we were ready to implement when we opened the doors on July 2. Our staff are just fabulous people. The people I work with are just tremendous. They were able to work with the board of directors and our policy working group. We had every single policy, with the exception of our compensation fund policy, which had to go to Cabinet, approved and ready to be operational under that new act on July 2.

So all the training was done, the policies were done, and we were ready to implement. The difference with respect to return to work — how we measure this is by looking at the percentage of claims that go on lost time beyond 90 days. We use 90 days because the three-month mark is well-documented as being the time when, really, a claim may become long term. It's when chronic pain starts. It's when drug dependency may begin. When a worker has been off for that length of time, a new lifestyle starts to settle in. So three months is really a critical point.

Prior to the new act, 79.41 percent of our claims were resolved before 90 days, and that is tremendous. That's an improvement from 2005, when we started measuring this, when it was but 63 percent. So there is a real improvement. But we got stuck at 79 percent for many months, and we could not get past it. Since the new act has been implemented — at the end of November, we're at 87.28 percent. So we've already exceeded our target for this year, and we exceeded it in September. So we saw a tremendous jump in a very short time in the number of workers who are going back to work. We believe we can directly attribute that to the new act and the policies that have

accompanied it, because we were ready to implement right away.

So there is proof that the return to work program is working. We know that our benefit liability is in long-term claims, and that's where the majority of the funds go. So if we can prevent claims from becoming long term, because the worker has recovered and returned to work, then that's positive for everybody.

So we're very pleased with the new act. We do know that there are some typographical errors; we found some commas that should be there and so on, and that's being sent to the Department of Justice for review, and they can determine how to handle it. If any issues come up, then we will record those and bring them forward if change is needed, but so far, we're very pleased with the act and we believe that it's working well for workers and employers.

Mr. Edzerza: Are there any plans to review the *Occupational Health and Safety Act*?

Mr. Tuton: As you know, Mr. Chair, just a few years ago, we completed step one of a review of the regulations in the *Occupational Health and Safety Act*. We're just about to move ahead to the next step, which is the first aid regulations, and that is scheduled to start now and be completed in 2009. So first aid regulations are something that we're going to be reviewing, and once we do that, we'll present that, hopefully at the end of 2009.

Mr. Edzerza: I thank the chair for that answer. I am going to talk a little bit about the appeals tribunal. In the 2007 annual report, we see 11 decisions went to the appeal tribunal compared to 27 in 2006. What does this drop in appeals tell us, and how many decisions have gone to appeal in 2008 so far?

Mr. Tuton: I'll answer the last question first, because it is a real easy one. The number is six. What does it tell us? It tells us, as I indicated a little earlier in some of my comments, that as we renewed and reviewed all the issues that led to higher costs and all of these other things, we had to look at internal efficiencies. We looked at internal efficiencies and we actually made some complete changes in how we did business.

Our adjudicators have a much better understanding of what the policies are and how the policies affect each claim. We, meaning the board of directors of Workers' Compensation Health and Safety Board, some two years ago recognized that we had a number of policies that were outdated and needed to be reviewed and clearly brought up to date, because they may have been having an effect on decisions. We reviewed the majority of our policies over two years, which incidentally is a very time-consuming task for the board of directors and staff. So we reviewed and developed policies that better reflect the times and the current situation at Workers' Compensation Health and Safety Board. We did that in complete consultation with our stakeholders, which is all of our employer groups and worker groups.

We developed, over time, a policy working group that is made up not only of the board of directors and some of our staff at Workers' Compensation Health and Safety Board, but also of our stakeholders. So they actually have a role to play in developing our policy.

I want to be clear at that point, though, that it is still the responsibility of the board of directors at the end of the day to make the decisions as to whether the policies are to go forward as policies of the board. I can say today that I do not recall one issue where a policy that was developed and brought through the policy working group was ever rejected by the board of directors. I think that speaks to the involvement that our stakeholders have taken and the keen interest that they have taken, certainly over the past five years, to become more involved in the system. We look forward to that openness and that transparency.

The number of decisions that are reviewed by our hearing officer are up and that is good thing, because that is the first step after adjudication before it goes to the workers' advocate office. That clearly indicates that, once our hearing officer has reviewed cases that were adjudicated other than in favour of the worker, at the end of that process there was very little need for the worker to go through the appeals process.

There was a question earlier about the cost of the workers' advocate office and how it's going down, and can our stakeholders look forward to the cost of the advocate's office continuing to go down? My short answer to that is yes, and it's because of all of the efficiencies that we've built into the system, including that policy review.

Mr. Edzerza: I want to talk a little bit about feedback from injured workers, because it's our opinion that the injured workers are really the clients of Workers' Compensation Health and Safety Board. We see it as a very important role to solicit and get feedback from people who are injured. So how does the board actively solicit that feedback from injured workers themselves on decisions, on the appeal process and about programs?

Ms. Royle: We've tried numerous ways to solicit input from injured workers. We tried a survey tool, using a survey company, as well as internal staff to survey injured workers.

However, the response rates are very, very low. We do monitor what's happening in the media to see if there's anything percolating there. We have comment cards available at our office with very easy tick boxes, so we do get comments from that perspective. We also get direct feedback to our case managers, to me and to our director and managers. In fact, in the last year the majority of the feedback that we're getting is very positive that the workers have had a good experience. Many have returned to work. They have appreciated our help and we receive voice mails to that effect — our staff does. It's not every day, because typically people don't call when they have good news or when they get good service, but we've been receiving more and more this year than any other year. So we use that as an indicator.

We also get involved with things like the Yukon survey and have questions on that, so we monitor what's happening at that level. We tried directly contacting injured workers ourselves, but really didn't get any response or a great uptake on that, so we're still looking at new ways. If there are suggestions, we are certainly open to them.

Mr. Edzerza: I know that the Member for Mayo-Tatchun from the Official Opposition really covered a lot in the investment and losses part of the questioning, but I would like to just ask one in that area.

We see a policy change for the compensation fund to increase the primary real return objectives from three percent to 3.5 percent and, given the investment losses, why did the board want to increase this amount? Higher yield investments tend to be riskier. And what analysis was done to bring the board to this conclusion?

Mr. Tuton: I want to be careful in my response here, but the board developed that policy many years ago, and it's one of those policies that have to go through the system. It can't be approved solely by the board of directors; it has to go to a higher body, and it took that amount of time to reach the higher body and go through it and come to us.

Mr. Edzerza: Mr. Chair, I'd like to just now ask a question about pre-existing conditions. "Pre-existing conditions" refers to a condition that the worker had before injury, and I would imagine it could be quite difficult to determine.

How is the board ensuring that proper testing is conducted to prove a pre-existing condition?

Ms. Royle: We have a policy that has just recently been updated on pre-existing conditions and it looks like some are known before the worker is injured. Those are much easier to deal with because they are known and therefore there's medical history and evidence to show what that pre-existing condition is. Then we look at how the compensable injury affected the pre-existing condition.

The policy also has to go into situations where the worker has a pre-existing condition but didn't know they had it until subsequent to the injury. For example, one we see fairly often is the worker may have a minor back sprain and, upon investigation when an MRI is done, it shows up that the person also had degenerative disc disease that clearly pre-existed the workplace-related injury.

They are very complicated, as the member indicated. In those cases, we have to look at what the effect of the compensable injury is and to what extent we're responsible for parts of the pre-existing condition. That policy does allow us to take responsibility for pieces where the pre-existing condition has been permanently aggravated by the compensable injury.

With respect to testing, each case is done a case-by-case basis. As I said, with the worker who has a known pre-existing condition. Oftentimes the testing has already been done, and there are baselines. When a worker doesn't know they have a pre-existing condition, in many cases it comes up in the diagnostic and the testing around the compensable injury. And that can vary from local CT scans to being sent to Vancouver for an MRI, if that's required. That's done, as needed, on a case-by-case basis. We don't generally restrict that, unless it's very blatantly known that something is not work-related, and it's already established to be such.

Mr. Edzerza: I know we've had a number of citizens talking about medical examinations. We understand, and quite reasonably, that there is a lot of conflicting medical opinions about an injury. So I would like to know: what is the process

when there are conflicting medical opinions about a worker's injury?

Ms. Royle: Again, each situation is reviewed on its own merits, but the first thing we would look at is what is the medical evidence, and we also have to weigh that evidence. In some cases, we would look at the credentials of the individuals, with respect to — if it's a physician or a surgeon, their relationship with the worker, whether somebody has seen the worker once or someone has seen them many times. We look at whether the evidence is subjective — for example, the worker says he has a lot of pain — versus objective — the worker's range of motion is restricted by 20 percent. We look at those factors and we weigh the evidence when there's conflicting medical.

In some cases, when we look at that, there's not a clear decision to be made. Under the new act, we can request an independent medical examination to be done, so that we can establish once and for all what way the evidence really falls. So there are a number of things. We can send it to our medical consultant internally to do a review. It really depends on the situation and the evidence we have before us. We have a number of tools available to be able to make those determinations.

The member is correct in that that happens, where you have conflicting medical, and we have to deal with it on a case-by-case basis. We do have procedures for our staff available on dealing with that, and we do have those avenues available to them.

Mr. Edzerza: That will lead me right into the next question. It has to do with staff training.

How is staff that conducts rehabilitation and return-to-work programs with injured workers trained? How is staff performance measured?

Ms. Royle: We have extensive training programs that we use for staff. We do some in-house. With the training on the new act, for example, I personally did much of that. I am a certified disability management professional and use those skills, as well as my experience as a university professor in teaching those courses.

We have the highest percentage of certified disability management professionals of any agency in the world working at the board. Now, that's five out of 12, but still it's the best percentage in the world. I am aware of that, because I am the chair of the certification committee for the International Disability Management Standards Council of the International Labour Organization. We do have excellent training. We bring people in from Outside to do training. Our staff has training plans that are developed with our training officer. We have some that are available for all staff and some that are specific to a group and some that are specific to an individual. We also avail of the resources of the national Association of Workers' Compensation Boards of Canada and are able to utilize those.

We have, as I said, a number of avenues available to our staff to do that. We train, for example, our health and safety officers on winter driving safety. We also do significant training ourselves. We train our doctors in continuing medical education — not just the doctors who work for the board but the doctors in the entire medical community in Yukon. We also

then have our own medical consultants who do medical training for our staff on a fairly regular basis. Our staff is very well trained. If there are training needs identified, they are addressed either in the territory or outside the territory. We do whatever we need to do to make sure that our staff are the best trained that they can be to deliver the services that they need to do.

Mr. Edzerza: I'd like to go into the next question that has to do with the certificate of recognition. The abbreviation is COR. Starting January 31, 2008, employers who wish to bid on Yukon government contracts for road servicing and gravel production valued at \$500,000 or more will need to be COR certified, which will hopefully result in fewer injuries and declining claims costs. How is getting employers to comply with this proceeding? How many employers have signed up? Have there been any problems? Are companies supportive or hostile to this?

Mr. Tuton: The number that comes to my mind immediately for COR-certified companies is 21. We at Workers' Compensation Health and Safety Board are very proud to be one of those employers. We have one small business, which I think Val referred to, that is fully certified. The number of businesses that have signed up and have either started the training or are in the training cycle is in the 70s. There are obviously — as there is with everything — some companies that appreciate COR and what COR provides, and there are some that have the opposing view.

What can we do to change and reflect that? I think through the Northern Safety Network Yukon, which is a partner of ours and has just done a tremendous job in providing the training for COR. It's doing a very good job.

I think that the 21 corporations or companies that have completed and been certified under COR will speak very highly of what that program brings to the table for them, for their workers and for industry in total. Yes, the Government of Yukon is moving ahead this year to acquire COR certification on some of the jobs they put out. That's a good thing. We need to have that continue, so that more and more employers get COR certified.

When you look at companies in the construction industry outside of COR, if they are what we consider large employers, whether they have COR or they don't have COR, they must have a safety and training program acceptable to Occupational Health and Safety under the Workers' Compensation Health and Safety Board — an OHS safety program — that meets our standards. This is whether or not they are COR certified. That is for companies that employ more than 10 — 10 or greater employees. They must have a recognized safety program from our occupational health and safety program.

So COR is just one of those programs that will provide that safety training program for them. What it does is it ensures the group or company that is requiring a contractor to do the work, that the successful bidder on the project will be COR certified so at the very least we will have a very, very clear understanding of what is required in providing a safe and healthy workplace for their worker.

Now there are, and we have heard at the board, obviously there is a number — it is very few, at least that I am aware of

that all of sudden are saying, well, the government, starting January 1, 2009, needs you to be COR certified in order to bid on the road jobs. Well, that has been known for quite some time. The COR certification program has been available for quite some time and the opportunities at NSNY to provide that training to all of those companies that wish to be COR certified is certainly there. As I said, we have, I believe, 73 or 70-odd companies that have registered to take the COR certification program starting now or in the new year.

Mr. Edzerza: I'd like to go into the area now a little bit on administrative issues: fraud and claims investigations. From the November news release: "Yukon Workers' Compensation Health and Safety Board's improved administrative and financial efficiencies are another contributing factor to holding rates in 2009. Its Investigator has already saved the organization more than \$2 million with more savings expected in the coming months."

Is this dealing with fraudulent claims? How has the investigator saved the organization more than \$2 million, and how does the board deal with fraudulent claims by the worker or by the employer? What are the numbers, and what is the process for starting an investigation? I'll just ask those questions for now, because I have a few more about that.

Mr. Tuton: As I indicated earlier, the introduction, or the start of our investigative program, started a little bit over a year ago. In that time frame, we have been able to save the cost to the board of roughly \$2.5 million in fraudulent claims. Like any other jurisdiction across the country, we're going to have individuals who take advantage of these kinds of networks to get benefits that perhaps they shouldn't be receiving.

There are a number of red flags — and we obviously can't speak to what those red flags are, but there are a number of red flags — that occur from time to time and that will be brought to the attention of the investigator, who will then review those red flags to see if, in fact, there is reason and justification to investigate further. And if that investigation finds that there are indeed grounds to investigate further, then that investigator will proceed on that basis.

But as I indicated earlier, our investigator is not there solely to investigate only fraudulent claims. He's also there to ensure that our health care providers are providing a service and are billing for a service that is actually reflected in what the final costs are, as well as, investigating those employers that chose for reasons only known to them, not to register as a company with the Yukon's Workers' Compensation Health and Safety Board. For those who are interested in what our policy is, as far as the investigator goes, I encourage them to go to our Web site because our policies are all there and it will clearly define what the role, responsibilities and mandate of the investigator is.

Mr. Edzerza: The other question along these lines is, how many investigations are ongoing right now? In 2007, 133 claims were denied versus 1,116 accepted. How does this compare to other jurisdictions?

Mr. Tuton: I certainly don't want to divulge what our investigator is up to but I can clearly state that there are a number of ongoing investigations occurring as we speak.

That is going to be happening on a go-forward basis. I think that the president indicated earlier that, if you want to look at where our highest costs are, they are in our long-term disability claims. Some of these claims have been existing and ongoing since the 1960s. These are the kinds of claims that we want to have a close look at to see if there's any possibility of getting those workers off the system, whether that be through — as I think the member indicated earlier — retraining, so that we can get that worker retrained and back to work doing another job or whether it can be through our return to work program, so that we can look at perhaps different types of rehabilitation.

These are all things that we must look at when we look at those long-term claims. It may something as simple as maybe getting some different medical intervention happening now that perhaps wasn't available back when that claim was initiated.

There are a number of things that that investigative process can lead us to. I want to make this clear: not all claims that we investigate or have a look at are fraudulent. I want to make that perfectly clear. It's the responsibility of the board and of the investigator to see if in fact, by going through these claims, we can help that worker achieve better results being off-claim by retraining or perhaps medical intervention, or perhaps just different treatment.

Mr. Edzerza: I'd like to go into another area that I think has been an issue for many, many years, and that is to do with literacy issues. I know back in 1968, when I was a lot younger, I met an operator who got me to write letters to his wife. Back then, I was totally amazed that an adult didn't know how to read or write, but I find, right to this day, that that same problem exists.

I know of individuals who have claims right now and are dealing with Workers' Compensation Health and Safety Board who are illiterate. I would like to just ask the members how the board accommodates injured workers with literacy issues.

Ms. Royle: To answer the member's question, we deal with literacy issues in a number of ways. We do have a policy that we will accommodate injured workers or employers and there are just as many employers who have literacy issues as there are workers with respect to their ability to read and write. A lot of our decisions are in writing and they are complicated.

Our staff are trained in recognizing signs that a worker or an employer is illiterate, which is a first step. We also did a review of our own literacy practices. So we have writing guidelines for our materials to be at a grade 10 or lower level so they are not as complicated as they could be. We do a lot more phone calls with our clients, although some of our decisions have to be in writing and we will provide services to those workers who need assistance in dealing with those letters. The workers' advocate office is also available for that purpose. And if you go on our Web site, at the first page, our Web site talks so that with some assistance a worker can go in and they can have the Web site read to them.

So if they're interested in a policy or what have you — with some assistance, we can direct them to the right spot, and then our Web site will auditorially describe what's on the page,

whether that be a form or a policy or anything like that. So that's an assistance as well, and that came out of that literacy review.

Mr. Edzerza: The next question I'd like to ask has to do with cheque delays because we have heard from injured workers that there have been some delays in getting benefit cheques due to problems with the computer system. Has this problem been fixed? And is there or is there not a policy on not manually issuing cheques?

Ms. Royle: Yes, with respect to ongoing regular benefits cheques, we don't have any issues that I am aware of. They've been going out. In fact, we have about half of our clients now on an electronic funds transfer, which certainly speeds up the process in cheques.

When there is a delay in a cheque, it's usually because it's a retroactive payment of some type, so it's not an ongoing cheque. It's a retroactive benefit. And in some cases, if there is a group of workers involved in that, under multiple pieces of legislation, then, yes, those do take some time and we have to pull our IT people off other projects to do those. So there may be delays in those situations.

Otherwise, we would have to do the calculations manually, which could have error issues and so on. In those exceptional cases, there may be delays, but not in anyone's ongoing benefit payments.

Mr. Edzerza: My final question I guess has to do with young workers. Working with the Yukon Federation of Labour, the NDP brought forward Bill No. 109, *Young Worker Protection Act*, to get the discussion started on protecting children and youth on the job. The bill didn't go through, but the House unanimously agreed to the following motion:

THAT this House urges the Government of Yukon to request the Employment Standards Board, in conjunction with the Yukon Workers' Compensation Health and Safety Board to:

(1) conduct a thorough review and assessment of the current situation involving the employment of children and young people in the Yukon workforce to ensure their protection from hazardous environments, substances and occupations;

(2) identify gaps in current employment standards, occupational health and safety, and education legislation in Yukon governing the employment of children and young people, including consultations with parents, employers, youth and labour organizations, using Bill No. 109, *Young Worker Protection Act*, as a discussion document; and

(3) present a report on their findings to the Yukon Legislative Assembly within the first 10 days of the next sitting period.

My question is this: has the board been approached to participate in this review? Where is the review at? What has the board been finding? What plans does the board have, for example, like more training or whatever to ensure the health and safety of young workers?

Mr. Tuton: We at the board are very proud of our commitment to the health and safety of our young workers and are very proactive — and always have been very proactive — in how we deal with young workers. In fact, our board, through the efforts of our president, is one of the leaders in this particu-

lar issue that you talk about, and is very committed in the process and how it goes forward and looking at the result. I want to mention that we've been very, very proactive. We have our passport to safety program that we're very proud of, and we continue to work with youth. We have just, at the board, introduced with partners, our Young Worker Safety student video contest.

We have added resources at the board to help us achieve one of the goals that we have had for many, many years and that is getting the issue of workplace health and safety into our school system. It has been a challenge. I can tell you that it has been a challenge over the years, but I think we are finally starting to see some clearer water ahead of us. We're getting the buy-in from the Department of Education and all of the partners in that field to make sure that this happens.

In answer to your question, yes, we are committed. I know our president and her executive team are very much committed to making sure that whatever can be done at every level, we will do our part, and Val will do her part to make sure that as our young workers move into the workplace that they are, number one, educated and that they know what a safe and healthy workplace should look like and they know what their responsibilities as a worker are — they know what their rights as a worker and young worker are — and they know what the responsibilities from their employer are to help them ensure that when they walk into work in the morning, they are able to leave at the end of their shift in exactly the same physical and mental condition as when they went.

Our commitment to you through the board and our president is that yes, we are very, very committed to making sure that whatever can be done in the area of young workers will be done.

Hon. Mr. Hart: Mr. Chair, on behalf of the Committee of the Whole, I would like to thank Craig Tuton, chair of the Yukon Workers' Compensation Health and Safety Board and Valerie Royle, chief executive officer of the Workers' Compensation Health and Safety Board, for appearing here today as witnesses.

Chair: The witnesses may be excused.
Witnesses excused

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

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

Speaker resumes the Chair

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

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 12, entitled *Second Appropriation Act, 2008-09*, and directed me to report progress.

Also, pursuant to section 109 of the *Workers' Compensation Act* and Committee of the Whole Motion No. 14, Craig Tuton, chair of the Yukon Workers' Compensation Health and

Safety Board, and Valerie Royle, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appeared as witnesses before the Committee of the Whole, from 3:30 p.m. to 5:30 p.m.

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

Some Hon. Member: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.