

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, May 4, 2009 — 1:00 p.m.**

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

*Prayers*

**DAILY ROUTINE**

**Speaker:** We will proceed with the Order Paper.  
Tributes.

**TRIBUTES**

**In recognition of Sexual Assault Prevention Month**

**Hon. Ms. Horne:** Mr. Speaker, May is Sexual Assault Prevention Month. I rise today to pay tribute to those people who work to eradicate sexualized violence and to those who educate the public about violence and sexual assault. I also pay tribute to Yukon women and men whose strength and courage in response to personal experiences of sexualized violence have changed society's response to this issue.

Mr. Speaker, the most recent Canadian statistics on sexual assault from 2004 showed that sexual assault does not affect all Canadians equally. For example, 86 percent of victims who reported assaults in 2004 were women and 58 percent of victims of sexual offences were youth, with young women being the highest victims of sexual assault.

These statistics are troubling and we need to continue to find ways to increase public education to reduce the number of sexual assaults and to support victims who experience it.

In recognition of this need and of Sexual Assault Prevention Month, the Yukon Liquor Corporation, the Department of Justice and the Women's Directorate, along with Yukon College, are partnering to resurrect a public awareness campaign, encouraging Yukoners to take steps to protect themselves from Rohypnol and other so-called date rape drugs. The Protect Yourself, Protect Your Drink campaign will feature coasters outlining the common signs and symptoms of being drugged and contact information for seeking assistance. It will also feature posters depicting both men and women in scenarios where they might be at risk.

This campaign augments other regular services offered to victims through the Department of Justice, including 24-hour access to VictimLINK — the domestic violence treatment; the Our Way of Living Safely; Domestic Violence Treatment Option Court in Whitehorse and Watson Lake; OWLS children's program in Whitehorse; the sexual assault response team and counselling programs — individual and group — offered in Whitehorse and in the communities through the victim services unit.

I also want to acknowledge the important work done by front-line agencies to recognize Sexual Assault Prevention Month. Through funding and support from the Women's Directorate, the Victoria Faulkner Women's Centre and Les EssentiElles are partnering to present a program of activities and events for the month, including a film screening, street theatre,

media discussions and self-defence courses. On behalf of this government, I thank all the people involved in these efforts. I encourage everyone to participate in these events and to join the voices of men and women who already speak out against sexualized violence in our community.

**Mr. Elias:** I rise today on behalf of the Official Opposition in recognition of Sexual Assault Prevention Month. Sexual assault is an act that is sexual in nature, with or without physical contact, committed by an individual without the consent of the victim, or, in some cases, through emotional manipulation or blackmail, especially where children are involved. It is an act that subjects another person to the perpetrator's desires through an abuse of power and/or use of force or coercion, accompanied by implicit or explicit threats.

Sexual violence is still a major cause of injury and trauma throughout the country. Sexual violence can impact all people regardless of age, ethnicity, race or economic status. Fifty-one percent of all Canadian women have experienced at least one incident of sexual or physical violence.

In the Yukon, the Women's Directorate and the Department of Justice are co-leads of the Circles of Respect and Equality, or CORE initiative, and have developed the Stop the Violence in the Yukon Web site. This is part of an ongoing commitment to eliminate violence against women, focusing on zero tolerance of violence against women and children.

Sexual assault violates the fundamental rights and safety of the person, along with their physical and psychological integrity. Women's experiences of fear and violence are a barrier to women achieving social, political and economic equality. When we shame and blame the woman who is being abused, we harm her spirit and the safety of the community, but when we support women and children, we build safer and healthier communities.

Today we pay tribute to these women and men who, through their strength and courage, have survived and are here for support of other victims. There are numerous agencies and non-governmental organizations, including the women's transition home, or Kaushee's Place, in Whitehorse; the Victoria Faulkner Women's Centre in Whitehorse; the Help and Hope for Families Society in Watson Lake; and the women's shelter in Dawson. All are working to raise the awareness of violence that is throughout our territory.

We pay tribute to all the front-line workers, counsellors and volunteers for their dedication and hard work in the ongoing effort to eliminate all sexual assault and violence against women and children.

**Mr. Cardiff:** Mr. Speaker, I rise on behalf of the NDP caucus to recognize that May is Sexual Assault Prevention Month and to recognize the women who have been assaulted and are trying to overcome this terrible victimization. We'd like to pay tribute to the countless front-line workers in women's centres, rape crisis centres and other non-governmental organizations across the country that work toward preventing sexual assault and are dedicated to supporting and advocating for women.

Sexual violence can impact all people regardless of age, ethnicity, race or economic status. Sexual violence is a major cause of injury and trauma throughout Canada. Fifty-one percent of all Canadian women have experienced at least one incident of sexual or physical violence.

In the Yukon, we have a serious problem with sexualized violence. Victim Services' caseload is overwhelmingly made up of spousal and sexual assaults. The Victoria Faulkner Women's Centre lists five things you can do to prevent sexual violence. They are as follows: one, initiate actions for a violence-free work place; two, confront sexual bullying; three, protest sexually degrading images and messages in the pop culture; four, talk with your partner about healthy sexuality; and five, speak out when you hear a sexist joke.

Men are perpetrators of the overwhelming majority of sexual assaults. I challenge all men to treat women with respect and to honour that when a woman says, "No", it means, "No".

Speaker: Are there any further tributes?

### In recognition of Andy Nieman

**Mr. Edzerza:** I rise today on behalf of the House to pay tribute to Andy Nieman and the closure of the last residential school in the Yukon Territory.

Mr. Speaker, Indian residential schools were a black mark on Canadian history. Several of these schools were operated in the Yukon. Many Yukon First Nation citizens attended these schools and the one situated in Lower Post, B.C., approximately 10 miles from the Yukon border. The largest residential schools — the Catholic church in Lower Post, B.C. and the Choutla Anglican School in Carcross — had three generations of Yukon First Nations come through their doors. Three of my older brothers and sisters attended the Indian residential school in Carcross.

Mr. Speaker, it was the law that status Indians send their children to mission schools, and this was enforced by the RCMP. Many of the children who went to these schools never saw their families again for 10 years plus. My wife was one of those people.

Another such man who attended the Lower Post residential school for several years was Andy Nieman, or in those days he was known as "No. 74." Andy was scheduled to be here today, but sends his regrets to the Legislature that he was unable to make it but mentioned he will be here in spirit.

Andy suffered many punishments and hardships at the hands of some supervisors in the school which in later years cost him complications with the law and addictions. However, against all odds, Andy today is a true survivor. I say this because he won over the addictions, is a minister and has obtained a degree in social work. He now counsels those suffering from historical trauma created by mission schools.

Mr. Speaker, a traditional ceremony was held by Yukon residential school survivors for the closure of the last residential school in the Yukon, the Yukon Hall. It was a historic and welcomed day for the Yukon First Nation citizens. For this special occasion, a special poem was written by No. 74, Andy Nieman to tell his peers and others what he has decided to do about his experiences at the mission school.

"I'm Moving' On!"

Can't call me a number, I'm not there,  
 Can't make me eat, nor cut my hair,  
 You tried all that, yet I'm still free!  
 I don't let past hurts ruin my day,  
 I lay them down each time I pray,  
 You told me not to talk my tongue,  
 You said I'd never overcome.  
 But now that I have found my voice,  
 I'm moving on, I've made my choice!  
 I've lived in sorrow, lived in shame,  
 I lived to tell... I overcame,  
 You could not kill this native child,  
 You could not still my songs inside,  
 You could not end my will to live,  
 You could not steal these smiles I give!  
 Not many know how far I've come,  
 The bitterness I've learned to shun,  
 Yet through it all, hope's found a way  
 I'm moving on to a brighter day!  
 I do not hate, nor hold regrets,  
 I can forgive, but I won't forget,  
 A new breeze now blows through my hair,  
 I've found new love, my people care.  
 I have a family, have new dreams,  
 I help to build my community,  
 No more res. school blues for me,  
 I live in truth and honesty  
 I may look back, but I won't stay,  
 I'm movin' on to a better way!  
 The drum now calls, new songs to sing,  
 I'm moving on... to better things!  
 I have my story, I have my song,  
 with God and friends... I'm movin' on!

**Speaker:** Introduction of visitors.  
 Returns or documents for tabling.

### TABLING RETURNS AND DOCUMENTS

**Mr. Cardiff:** I have a written question addressed to the minister responsible for the Yukon Housing Corporation.

**Speaker:** Are there any other documents or returns for tabling?

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

### NOTICES OF MOTION

**Mr. McRobb:** I give notice of the following motion:  
 THAT this House recognizes the importance of the Canadian Broadcasting Corporation and its northern service and urges the federal government to provide sufficient resources to allow the CBC to continue producing a high standard of service within the Yukon.

**Mr. Cardiff:** I give notice of the following motion:

THAT this House urges the Yukon government to investigate the feasibility of assisting the Miles Canyon Historical Railway Society to expand its existing trolley service by adding a bus to transport riders in a loop from Spook Creek Station to all the other main tourist attractions located along the Alaska Highway within the limits of the City of Whitehorse, such as the Copperbelt Railway and Mining Museum, the Transportation Museum, the Beringia Centre and then back to Rotary Peace Park.

I give notice of the following motion:

THAT this House urges the Yukon government to work cooperatively with Parks Canada and the City of Whitehorse to ensure that appropriate signage exists on the Alaska Highway promoting the main tourist attractions within the municipality, such as the *SS Klondike*.

I also give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of all studies, reports and plans that make the business case for the Yukon government's investment of \$2.632 million in the 2010 Vancouver Olympics.

**Speaker:** Are there any further notices of motion?  
Is there a statement from a minister?

Hearing none, that brings us to Question Period.

## QUESTION PERIOD

### Question re: *Child and Youth Advocate Act*

**Mr. Mitchell:** Mr. Speaker, last Thursday afternoon, we spent a few hours debating the *Child and Youth Advocate Act* — at least some of us were debating. Late in the afternoon, I proposed an amendment to the bill. The minister responsible would not stand up to debate the change. The Premier would not debate the amendment. In fact, no one from the government side got up. The Minister of Justice, who refused to say anything on the record, heckled across to us that debating the new legislation and our amendment was a waste of time.

We don't think debating the safety of our children is a waste of time, Mr. Speaker. So I will ask the minister this question: does the minister agree with the Justice minister's assessment that debating the new bill and our proposed amendment was a waste of time?

**Hon. Mr. Hart:** I don't believe any of the debate on this particular very important act was a waste of time. I believe it was a very valuable piece of legislation and it will prove to be a very valuable piece of legislation in assisting our youth in the future.

**Mr. Mitchell:** Well, Mr. Speaker, in that case we need to have a new definition of "debate" because it actually takes two sides to debate.

The Minister of Education is always asking the opposition to provide constructive suggestions. We did just that on Thursday afternoon and the minister refused to get to his feet, but

continued reading the newspaper. On Thursday afternoon, the Minister of Health wanted to respond to our questions; we know that. He was not allowed to respond because of a decision imposed upon him by the Premier. For whatever reason, when the government had an opportunity to respond last week, it chose not to.

Will the minister respond now as to why the cone of silence was lowered last Thursday?

**Hon. Mr. Hart:** The *Child and Youth Advocate Act* was passed on Thursday. It's a good piece of legislation; it reflects much of the feedback that we heard from Yukoners. The *Child and Youth Advocate Act* will assist children and youth on issues regarding services provided by the Yukon government, as I stated previously. These direct services include foster and group homes for children in the care of the government because these people are providing services and are agents of the government. Mr. Speaker, in other jurisdictions, 80 percent of the referrals for the advocate deal with child welfare matters. Child welfare services are provided directly by the Government of the Yukon.

**Mr. Mitchell:** Well, Mr. Speaker, what we passed maybe was the child and youth supporter or assister or informer but I don't think there was an advocate there. Rarely have members on this side of the House been more outraged on behalf of Yukoners than last Thursday, to see members from the government side sit silently while the safety and welfare of children were being debated; to see the Member for Lake Laberge laughing; to see several others reading while the Justice minister mocked the process, was a sad day for the children of Yukon. All we heard was, "Clear".

### Speaker's statement

**Speaker:** The honourable member is doing a couple of things. One is that he's accusing other members of not paying attention. Members pay attention in different ways in the Legislative Assembly, and if the honourable member cares to bring up what individual members are doing here, that's going to go both ways. I want the honourable member to understand that.

Secondly, all members treat each other with respect and nobody mocks anybody here, so I would ask the honourable member not to use that terminology. The Leader of the Official Opposition has the floor.

**Mr. Mitchell:** Thank you, Mr. Speaker.

All we heard was, "Clear." The Premier has to answer for this. He was here Thursday and said nothing — not a single word. He wouldn't stand up for children, and he remained sitting. We see now that the Premier has found his tongue. Why did the Premier refuse to debate on Thursday?

**Hon. Mr. Fentie:** The government side will accept, with a grain of salt, the comments made by the Leader of the Official Opposition when it comes to extracurricular activities, and we'll check the public record, which is *Hansard*. I think the minister debated the required length of the bill, plus five years of debate have gone on with this whole process, including the *Child and Family Services Act*.

Mr. Speaker, for the Leader of the Official Opposition to refer to off-microphone comments and that sort of activity in

this House is an inappropriate approach here. That's not debate. That has nothing to do with the safety and well-being of children whatsoever.

I can tell you, Mr. Speaker, the new *Child and Youth Advocate Act* certainly has a lot to do with the well-being and safety of children and that advocate position will report to this Assembly. The members opposite will have ample time to voice their opinion.

**Question re: *Child and Youth Advocate Act***

**Mr. Mitchell:** New question, same subject. The Ta'an Kwäch'än Council recommended the new child advocate be provided the authority to conduct independent reviews of child welfare matters. We supported that approach. The *Child and Youth Advocate Act*, as passed, is a half-measure. We had an opportunity to do so much more for children and the government said no. As written, the new law greatly limits the ability of the newly created advocate to do the job. The advocate is not free to investigate or conduct independent reviews of child welfare matters. We believe that is essential.

Why did the government take this narrow approach and ignore First Nation recommendations?

**Hon. Mr. Hart:** We did provide information in the new child act that took into consideration the information provided by First Nations. The First Nations that did provide us with some input with regard to the child act — and I'll remind the member opposite, just as I did on Thursday during the debate — not all First Nations indicated what the member opposite said about advocacy. Some wanted strictly just to look after the child.

The object of our process or our goal was to have it concentrate on the child, mitigating issues on behalf of the child and youth. That is what we set out to do. I believe, Mr. Speaker, that's what we have done. I think we passed a very good act, and I commend all the staff that performed the duties and presented here in the Legislature.

**Mr. Mitchell:** Too bad, Mr. Speaker, that there was no debate on the amendment. In debate on this bill, it became clear that an unintended flaw exists. The legislation would even further curtail the role of the advocate by restricting their role to Yukon government departments. Excluded would be Whitehorse General Hospital or any non-governmental organization contracted by the Yukon government to provide services for children and youth. Clearly, this was a surprise to the Minister of Health and Social Services. Realizing this, we offered the minister an opportunity to adjourn debate and bring in an amendment to fix the flaw. When the minister chose not to do that, I brought forward an amendment to address the shortcoming.

The government chose to pass flawed legislation rather than work with the opposition to fix this act. This is the type of behaviour that we might expect from children, but not from people elected to protect children. Why did the government ram this flawed legislation through?

**Hon. Mr. Hart:** Mr. Speaker, this legislation is child-centred. That means that the advocate empowers youth to speak for themselves. This is not about another adult taking over and making decisions for the youth or deciding what the

best interests for the children or youth are. The advocate's role is to assist the child and their family to be effective advocates; however, if the child and the family cannot advocate for themselves, the child and youth advocate will be able to promote the rights and interests of the child or youth.

**Mr. Mitchell:** It's time here for a reality check. The *Child and Family Services Act* passed last year in section 211 speaks to the establishment of a child advocate. Section 211(2) says, "The Bill to establish the Act is to be presented to the Legislative Assembly no later than the anniversary date of the proclamation of this Act."

The *Child and Family Services Act* has yet to be proclaimed. The government has at least one full year left to address this. The points raised by First Nations are valid. It's more important to do it right than do it quickly. Why is it good enough in Alberta, Saskatchewan and Manitoba to have the ability to really advocate for children but not in Yukon? Why was the government in such a hurry to pass the *Child and Youth Advocate Act* last Thursday that they passed flawed legislation?

**Hon. Mr. Hart:** You know, Mr. Speaker, I find it amazing — the member opposite talks about flawed legislation, and he talks about the *Child and Family Services Act*, which he voted against. He voted against that.

In that act, one of the main aspects — after five years of consultation — was bringing forth the *Child and Youth Advocate Act*. That is what we've done. We've indicated we would do it within a year. We presented it to the Legislative Assembly, and we've done it.

**Some Hon. Member:** (Inaudible)

**Point of order**

**Speaker:** The Hon. Member for McIntyre-Takhini, on a point of order.

**Mr. Edzerza:** I believe in Standing Order 19(e) it says that no one is to reflect upon any vote of the Assembly. The member opposite just made accusations toward the members on this side and explained how they voted.

**Speaker's ruling**

**Speaker:** Firstly, there is no point of order. I thank the honourable member for standing up on it. However, Standing Order 19(e) does not reflect on the issue that the honourable member raised.

I believe it is now a new question from the third party, which is the Leader of the Third Party.

**Question re: FASD action plan**

**Mr. Hardy:** Thank you. Tomorrow, May 5, marks a historic date in this Legislature. On May 5, 2004, five years ago, this House passed a motion unanimously. It was amended, and that passed unanimously also. However, the motion, Motion No. 43, was in the name of the Member for Southern Lakes and it dealt with fetal alcohol spectrum disorder. It revealed a five-point action plan for this government to cope with FASD.

In that debate, the government promised to revisit the plan every year. Since five years have now passed, can the Minister

of Health and Social Services tell the House what progress has been made on this plan?

**Hon. Mr. Hart:** With regard to the FASD program, I am pleased to say that we recently had a meeting of the northern and western jurisdictions with regard to FASD, involving handling the process of research on FASD.

I might add that we had the attendance of the federal minister with us, who expressed her concerns with regard to FASD, and also her support in carrying on with the research on FASD and assisting in that process.

**Mr. Hardy:** Well, five years later and they are having a little meeting to talk about research — not even doing the research.

Now our review of this plan is a little different from the minister's. Among other things, the plan was to enhance supported living arrangements for adults and families with FASD — five years ago. The government member who proposed the motion called for a stable, nurturing home environment offering support and supervision. He said in debate five years ago that we “can allocate additional resources to the problem.” He goes on to say, “It's a problem that we need to address with budgetary decisions. We need to allocate more resources.” We haven't seen any action on that resolve in five years.

In its first election promise, the Yukon Party promised to focus resources on FASD as a matter of top priority — five years. How does the minister justify ignoring the unanimous vote in this House and its own party's platform to support adults and families dealing with FASD?

**Hon. Mr. Hart:** We continue to provide support to FASD clients through providing support to the FASD society, as well as providing them with assistance to groups and individuals for their housing methods. We have increased our funding to FASD to assist them in that particular area.

I might add for the member opposite, we have been at the northern research centre for almost 10 years now. In fact, it is the 10<sup>th</sup> year this January in which we are doing our investigation and research on FASD. I might add that we are concentrating on five issues with regard to the FASD program and it is being handled through the University of Victoria. The appropriate research is being provided by Manitoba, Saskatchewan, British Columbia and the three territories. I must say that we've had very good results from the process to date.

We continue to follow along with the data provided and we are continuing to look for ways and means in which to focus on this issue. Our main issue is to look at prevention. That is the focus now — looking at prevention of this actual disease, which is actually preventable. We are looking at that process and leading that into the future.

**Mr. Hardy:** It is kind of a shame that the minister thinks that kind of response is adequate for the people out there who are suffering right now and the people who care for those people. I'd be ashamed of saying that, that you're only going to focus on prevention.

FASD has been studied over and over by this government, along with so many other social conditions that are being stalled. Now we have the idea of social inclusion and a poverty strategy promised for sometime in the vague future. This can't

wait another five years, Mr. Speaker. Models exist of supported living for FASD adults in Canada and the United States that the government has studied. That study was completed in March of this year. It has examples of social inclusion, a phrase the minister loves to use now.

Will the minister act on the recommendations in that report before another five years pass? Will he at least do that?

**Hon. Mr. Hart:** We will continue to follow through with our other partners with the long-term research on FASD to basically look at the results of FASD and all facets of it. We'll continue to work with the other jurisdictions also on the ways and means of trying to handle many of our clients who have been assessed with FASD at an early age and are now reaching adulthood. I believe, for the member opposite, it's a growing problem right across the north and we'll be working with them to assist in the process and to come up with a solution that's amenable to everyone.

#### **Question re: FASD action plan**

**Mr. Cardiff:** Mr. Speaker, my colleague has just asked questions about supportive living for FASD adults. This is exactly what has been called for by Judge Lilles five years after the five-point FASD plan was passed in a motion in this House. He knows first-hand that FASD-affected adults before him in the court don't need incarceration; they need help. Putting them in jails means they are just co-opted by others into a life of crime.

As was noted by the Member for Southern Lakes in debate on the five-step motion, some even treat jail as normal, a place for them to go and live. One man, a sexual abuser with FASD, was recently sentenced. He was sexually abused himself while waiting in remand.

How is the Minister of Justice acting on the many recommendations over the last five years and more to establish community living facilities for FASD adults?

**Hon. Ms. Horne:** FASD is a serious problem in Yukon and throughout the north; we take this very seriously. I am pleased to report that the Yukon is the leader in FASD in Canada. We have programming available at WCC to help the individuals with FASD. When they come into WCC in the first place, we have videos to help them to understand the rules at Whitehorse Correctional Centre. We have pictures instead of writing the rules. We recognize that there is a problem. We help the individuals to go through the justice system. In courts, we have the Community Wellness Court, which is specifically designed for people with this problem. We are the leaders in Canada; let's keep this in mind.

**Mr. Cardiff:** The minister did not answer the question. The question: what is she doing to establish community living facilities for FASD adults? Nothing.

The minister says that the Community Wellness Court is the answer. Well, we heard differently. It is a great idea, but it needs a lot more support in services. The government does not have the services to support the community wellness plans. Judge Lilles says that more support is needed for families before offenders get to court and for those people sentenced in court. These things are needed now, not in some vague future that has social inclusion in it. Judge Lilles has suggested that

what is needed is something akin to the *Youth Criminal Justice Act*. That act allows for youth diminished culpability and that idea would suit FASD persons.

Is the minister acting on the actual experience of the court system and working with her Cabinet colleagues to establish real help for FASD adults?

**Hon. Ms. Horne:** Again I remind the member opposite that we are the leaders in Canada, perhaps the world, in FASD recognition and helping them navigate the justice system. I have discussed this problem with Judge Lilles. I'm well aware of his recommendations and we are working with that group. He is part of the committee that is working toward helping FASD-affected adults navigate our justice system. We take FASD very seriously. We want to cut back the rate of recidivism for individuals with FASD to help them to reintegrate into the community. Of course we take this seriously; it is a serious problem and we are dealing with it.

**Mr. Cardiff:** Well, we need to do more, Mr. Speaker, and one of the things we can do is the assisted living. This condition makes it impossible for FASD-affected persons to realize cause and effect and to learn from past mistakes. They are highly susceptible to addictions; they are influenced by stronger personalities, some of whom are criminal. They have real problems with money management and are easy targets for robbery. The living situations for them now, and certainly the jail, are totally inadequate solutions. These situations also serve to make matters worse. It is well known that FASD adults who have committed crimes should not be put into the same facility as those who don't have a criminal record.

What plans does the minister have for separating FASD inmates in the new correctional facility?

**Hon. Mr. Hart:** For the member opposite, all he has to do is go back to the debate on Health and Social Services. There is a line in Health and Social Services that's basically options for providing independent living. There is \$226,000 identified in the budget for that particular process.

**Question re: *Child and Youth Advocate Act***

**Mr. Mitchell:** I'd like to return to the *Child and Youth Advocate Act*. The act defines the designated services as those provided directly by a department, including schools. It also can include First Nation service authorities if they are designated under section 169 of the *Child and Family Services Act*. But this act is silent regarding services provided by non-governmental organizations under funding contribution agreements with the Yukon government — for example, Skookum Jim Friendship Centre, which the government has contracted with and provides funds to provide emergency services to youth at risk. There are many, many more examples using non-governmental organizations.

My question for the minister is this: why did the government overlook the agencies that are non-governmental agencies, but are contracted to provide services to children and youth, when they created the *Child and Youth Advocate Act*?

**Hon. Mr. Hart:** Thank you, Mr. Speaker, it's important to recognize that many people are involved in assisting our children and youth. We have social workers, youth workers, community volunteers and NGO workers all assisting children

and youth. The advocate will not take over the role of these people and their role within the community; rather, the advocate will get involved upon request when problems need to be resolved.

The main reason for establishing the child and youth advocate is to provide assistance for children and youth receiving services from the government and, in particular, children in the care of government, who may not have families who can advocate on their behalf.

**Mr. Mitchell:** The minister is not answering the question. He is giving us the reason that the act was created, and it's obvious that the act is empty when it comes to all those services that are provided through non-governmental agencies. I have given him an example. There are many more. Who will speak for the youth then? Is the young person to be told that the child advocate can help you over here, but if it's something other than that, go see the Ombudsman or a social worker?

We are talking about nine-year-olds, 12-year-olds and 14-year-olds. Again, would the minister explain why the act does not address this issue?

**Hon. Mr. Hart:** Mr. Speaker, youth on the street will be able to get assistance from the advocate. The legislation states that children and youth who are eligible to receive services from the Yukon government can contact the advocate for assistance. This means that the youth could call the advocate's office and ask for assistance. If the advocate determines that the youth can or could be eligible for one or more services provided by the government, the advocate could assist the youth to access those services. If the child or youth is receiving services from an NGO, the child or youth can speak to the service provider directly to resolve issues. If the child or youth in care has a case with the Yukon government, the case manager can assist the child or the family to resolve any issues that are outstanding.

**Mr. Mitchell:** It sounds like the minister expects the child or youth to be a lawyer. The child or youth needs to understand that in some cases they can go to the youth advocate and in other cases they need to go to the Ombudsman. In other cases, they can go to a social worker. Why are we not creating one position that will be clear for children and youth who don't have an adult parent or other caregiver who is looking after them? Someone who is in need of help — this should be a person who is like a shining light, and whom youth and children know is where I turn when I'm in trouble and this is the person who will help me.

**Hon. Mr. Hart:** I believe that is exactly what we have done. We have provided the act — the youth and child advocate with a role, which means basically their main focus is to worry and mitigate issues on behalf of the child. That is the main focus. Really, that is the only focus. That is their focus to deal with it. This is the issue when we discussed it with our jurisdictions. They were advising us that that is the main focus of this particular job and we believe that we have achieved it.

In addition to that, Mr. Speaker, we have applied a made-in-Yukon facility that we think meets the need for services for our children and youth here in Yukon.

**Question re: Yukon Housing Corporation programs**

**Mr. McRobb:** I have a question on another important issue that we've been asked by Yukoners to ask.

People are getting ready for another building season — well, at least some Yukoners are. Last week, several Yukoners received notice from the Yukon Housing Corporation that home ownership and construction financing mortgage programs were no longer available this year. The program has been in place for a number of years. People were told repeatedly and assured during the winter months that this money would be available in the new budget. They were depending on it to get started on construction of their new homes this spring. Will the minister confirm that these programs are no longer available to Yukoners?

**Hon. Mr. Kenyon:** The Yukon Housing Corporation certainly strives to improve the overall quality of housing in Yukon and helps fund that. The Yukon Housing Corporation's home repair program assists the greatest number of Yukoners by providing funding to upgrade or renovate their homes and make them more energy efficient.

The home ownership and construction financing mortgage program is also extremely popular, so much so that the demand for the loans has already exceeded the budget. As a result, these programs are now fully committed; however, we will be continuing to monitor that situation. But I do want to stress for the member opposite that our mortgage specialist can provide guidance and practical advice on strategies for obtaining financing, technical assistance, et cetera. All of the assistance is there, and the home repair programs will be continuing.

**Mr. McRobb:** Well, this government is so proud of its billion-dollar budget, yet there is nothing for people who were told there would be help getting a mortgage. Last week, several Yukoners were informed that these programs were no longer available. These people were told all winter long that this money would be available, but then suddenly, on the eve of the building season, the rug was pulled out from under them. I will file a document with respect to this matter.

What about people who have already made plans? In some cases, they spent thousands of dollars to get ready, and they were counting on the government to live up to its word. Why is this government, with its billion-dollar budget, not providing these programs to Yukoners who need them?

**Hon. Mr. Kenyon:** Perhaps the member opposite missed the comment that the program has been oversubscribed. It is, however, available and utilized up to that amount, and we do continue to look at other ways to expand that mortgage program. However, again, the Yukon Housing Corporation's mortgage specialist can provide guidance and practical advice on strategies for obtaining financing through financial institutions, and the staff is always available to provide technical advice on home construction, home repair and energy efficiency.

I would also remind the member opposite that this year the federal government is encouraging economic stimulation and home renovation through tax credit programs, energy grants and the federal programs described on the Canada Mortgage and Housing Corporation Web site, and the Natural Resources Canada Web site also outlines other possibilities. Links to these

sites are available from the Yukon Housing Corporation Web site.

**Mr. McRobb:** Well, some stimulus this is, Mr. Speaker — a program with no funds in it. Now I draw your attention to the words of the Premier last November 5 and I quote: "We will honour all applications to date and there will be more to come in the new fiscal year."

The minister has already admitted the program has run out of money before the first month was even up. What kind of stimulus is that?

Now the Yukon Housing Corporation Web page — since the minister referred to this — still says these programs are available and all you need to do is apply; the EMR Web site says the same thing. However, we now know this is not accurate. People are very upset about these last-minute letdowns and with good reason. They were told, "Come in after the budget is tabled. We'll have more money and we can get you on your way to building your new home." Instead, they were informed last week these programs are not available.

What does the minister intend to do for these people caught in this situation? How does he intend to help them out?

**Hon. Mr. Kenyon:** For the member opposite, there are millions of dollars available in all sorts of different programs. But I do have to correct the member opposite: perhaps in his searching and Googling through the worldwide Web, he missed the comment, and I table this document, that Yukon Housing Corporation is pleased to offer six ways to put a lot of green in your pocket — and marked clearly on the bottom is "funding available until March 31, 2009".

The Housing Corporation will continue to work with as many Yukoners as we can for the maximum benefit, but when a program is so popular that it oversubscribes, we're rather pleased about that. We are helping everyone we can and we will continue to look at projects and programs in the future. But when it is made clear to everyone involved that the funding was available to March 31, 2009, we are very pleased it's oversubscribed and we'll continue to deal with that.

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

**INTRODUCTION OF VISITORS**

**Hon. Mr. Cathers:** Mr. Speaker, I'd like to ask all members to join me in welcoming a constituent of mine in the gallery today, Andrew Finton.

**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 (Mr. Nordick):** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 67, *Act to Amend the Employment Standards Act*.

Do members wish a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 67 — *Act to Amend the Employment Standards Act*

**Chair:** The matter before the Committee is Bill No. 67, *Act to Amend the Employment Standards Act*.

**Hon. Mr. Lang:** I am pleased to speak on this bill amending the *Employment Standards Act* to provide job protection to Yukoners deployed as reservists or in training in the Canadian Armed Forces.

In April 2008, the Canadian government passed legislation to provide members of the Canadian Reserve Force with protection of their civilian jobs. Currently the Yukon *Employment Standards Act* does not provide job protection to Yukon reservists who volunteer in the Canadian Forces. In order to ensure the Yukon reservists are entitled to the same job protection as the federal act provides, we are amending Yukon's *Employment Standard Act* to parallel the Canadian Labour Code amendments.

Reservists' leave is similar to the compassionate care, bereavement, maternity and parental leave in that the employee's job is protected while on leave. There are no salary costs to the employer as these leaves are without pay.

Mr. Chair, reservists are essential to the Canadian Forces to meet growing national and international security commitments by Canada. In Yukon there are approximately 228 Rangers and six reservists who would benefit from this leave provision so that they may take part in an official military operation or annual training.

By amending the *Employment Standards Act*, this government will assist the federal government to meet its commitment to work with the provinces and territories regarding best practices and the uniform application of reservist reinstatement policies across Canada; keep Yukon legislation consistent with federal employment legislation; provide job protection to Yukon reservist employees who require time away from their civilian employment to take part in designated operations and annual training.

We will be the 10<sup>th</sup> Canadian jurisdiction to enable reservist leave provision in their employment legislation. I am pleased to bring forward this bill that recognizes the extraordinary commitment of reservists who volunteer for duty in the Canadian Forces.

**Mr. Fairclough:** As was stated during second reading, we of the Official Opposition will be supporting this bill. We

feel that it is a very useful one, and it is a bill that gives job protection to those Yukon employees who, for example, are in our Rangers. That is probably the one we could relate to the most. Once they go out on an exercise, it is important that they have a job to come back to.

I do have a few questions for the minister on this bill, and mostly it's for clarification. I want to refer to some of the sections simply because, rather than going through it section by section, I may have to jump back to a previous section depending on the minister's answer. They are really simple ones.

One of the areas that I do have concern with or a bit of a question about is in section 2(2). It states that, "An employee is not entitled to a leave of absence for the reserve force under subsection (1), if, in the opinion of the Minister..." — that is one question there — "...responsible for the administration of this act, it would adversely affect public health or safety or would cause undue hardship to the employer if the employee, as an individual or as a member of a class of employees, were to take leave."

First of all, I think when businesses out there realize that such an amendment went through the House, they may be a bit concerned as to how they would be affected, particularly with the seasonal employees. I think the second half of that paragraph there alleviates some of their concerns. I'm just wondering if the minister could add more of how he would seek protection of employees. It does say if it would cause undue hardship to the employer, and I would expect that to be a business — the other part of this question is, why, in the opinion of the minister, is this job normally delegated to a deputy minister?

**Hon. Mr. Lang:** This provision balances the recognition that job protection should be afforded to reservists and the need to assure and protect businesses by providing an avenue of appeal to the minister, should an employee feel they cannot afford to have an employee take this lead. Really, this would most likely apply to reservists who will be deployed for international duty and will be away for an extended period of time — one year or more. Rangers are but one category of reserve force membership. It is important to note that these amendments cover all reservists who might volunteer both inside and outside of Canada for varying amounts of time. It is important to note that the minister will only become involved when there is an impasse between the reservist requesting leave and their employer, where there are issues of public health or safety or cause an undue hardship to the employer.

**Mr. Fairclough:** The other question I had right at the end was whether or not this responsibility is delegated from the minister down to the deputy minister. This is done quite often in other departments. This is an issue that we see quite often. We hear it in regard to education, where there always seems to be a top-down approach. I don't think that the minister needs to be involved at this level. In fact, I see it and we probably won't disagree with having the minister delegate this down to the deputy minister.

**Hon. Mr. Lang:** In this legislation, the minister is responsible for those kinds of decisions. So we could certainly take what the member opposite is saying under advisement. But in fact in this legislation, it is the minister's decision.



**Mr. Fairclough:** I don't have much more. I do have a question in regard to a 60.6(1). It's right at the bottom of page 3. It says, "If the employee does not notify the employer at least four weeks before the day on which the leave that is taken for the reserve force is to end, the employer may postpone the employee's return to work for a period of up to four weeks after the day on which the employee informs the employer of the end date of the leave." I know in some of the reading through this, you have to try to make sense of it. It says, "If the employer informs the employee that their return to work is postponed, the employee is not entitled to return to work until the day that is indicated by the employer." I'm wondering if the minister could shed some light on this with more details on how it would affect the employee in this case. It doesn't seem like there's any date or any amount of time attached to it. That was the other issue, whether or not there is a certain amount of time before the employee basically cannot return to work.

**Hon. Mr. Lang:** I think we're looking at it being a two-way street, in the sense that in this legislation if, in fact, there is some time lapse between the agreed return date and the actual return date, then we would have to work with another employee and the employer would obviously hire someone to replace this individual. So there would have to be some timelines given to that individual, so that there is a smooth transfer of obligations as far as the job is concerned.

So I think it's not only protecting the employer, but people who are hired to replace these individuals, and there has to be some timelines on how they're notified.

**Mr. Fairclough:** I don't see that stated in here. Maybe I'm missing something and the minister could point that out. But if an employee is gone for a certain amount of time and informs the employer that they are going to be extending their time for basically the same amount of time they originally asked for, how long can this go on before the employer says, "Well, you really don't have a job to go to."

The other thing is, in the Yukon here, with a lot of the seasonal jobs that take place, what happens then if the employee comes back and the season is over and there is no job, but there is still a business that happens? Does the employer still have to search for a position for this employee?

**Hon. Mr. Lang:** If an individual who is on leave is hired on a casual basis or part-time, and by the time the individual came back there wasn't a position — in other words there wasn't a job — then it would be just that. There wouldn't be employment. As far as individuals working at a full-time job and they take this volunteer leave, I think that what we have to do is work with the employer, the employee and also the replacement employee to make sure there is a smooth transition and there are some timelines, because there are obligations, when you hire individuals, to give them notice and an appropriate amount of time. I think this is fair. When an individual would leave to go on this assignment, there would be timelines structure around that. I am sure this would be a very unusual situation if the individual were to extend his stay or whatever; I think these are pretty rigid dates that would be set. Through those dates the employer would have a replacement employee who would understand that and would understand that the indi-

vidual had a four-week job or whatever it was going to be. I think it protects everybody — the field work, training programs and things that the Rangers do have and structured timelines. I understand there are some situations in the winter where you might be stranded for a period of time in a snowstorm or things like that, but that is more unusual. Certainly there is room in here for the employer to be fair and open with the other employee to replace the individual. That is, I think, what this does.

**Mr. Fairclough:** I thank the minister for those explanations. I don't have further questions so I'll just pass it on to the third party.

**Mr. Cardiff:** I would just like to say thank you to the minister and to the officials for being here today and for the briefing.

I believe the Member for Mayo-Tatchun asked all the pertinent questions, so I'm prepared to proceed.

**Mr. Edzerza:** I just want to make one comment on this because it does appear that Bill No. 67, *Act to Amend the Employment Standards Act*, is legislating the leave of absence for reserve forces, but I believe it waters it down a little further. Section 2(2) says, "An employee is not entitled to a leave of absence..." I would have preferred to see legislation that just speaks specifically to the leave of absence being given and that be the end of it; however, as it's written, I will support this piece of legislation.

Thank you.

**Chair:** Is there any further general debate?

Seeing none, we will proceed clause by clause on Bill No. 67.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

**Mr. Cardiff:** In order to expedite things a little bit, I'd like to request the unanimous consent of the Committee to deem all remaining clauses and the title of Bill No. 67, *Act to Amend the Employment Standards Act*, read and agreed to.

#### **Unanimous consent re deeming all remaining clauses and title of Bill No. 67 read and agreed to**

**Chair:** Unanimous consent of the Committee has been requested to deem all remaining clauses and the title of Bill No. 67, *Act to Amend the Employment Standards Act*, read and agreed to. Are you agreed?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*Clauses 1 to 3 read and agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Lang:** Mr. Chair, I move that Bill No. 67, entitled *Act to Amend the Employment Standards Act*, be reported without amendment.

**Chair:** It has been moved by Mr. Lang that Bill No. 67, entitled *Act to Amend the Employment Standards Act*, be reported without amendment.

*Motion agreed to*

**Bill No. 66 — Corporate Governance Statute Law Amendment Act**

**Chair:** Committee of the Whole will now continue with Bill No. 66, *Corporate Governance Statute Law Amendment Act*.

**Hon. Mr. Lang:** The *Corporate Governance Statute Law Amendment Act* proposes a straightforward amendment to sections of three acts to allow changes of leadership to be made to the Department of Community Services, Yukon Housing Corporation and the Yukon Liquor Corporation and also affecting the Yukon Lottery Commission. This will be what the government promised to bring to the Legislative Assembly on January 9, 2009 — a news release announcing a change of government policy by which the Department of Community Services would have a new official as deputy head and the Yukon Housing Corporation, Yukon Liquor Corporation and Yukon Lottery Commission would report to another official as president.

The policy reason for this bill is service improvement to Yukon residents. We believe that overall service from these organizations under these structures has a much better chance to be more efficient, timely and more effective in delivering services to Yukoners when the workload of these four distinct organizations is shared between more people. I look forward to clause-by-clause debate.

**Mr. Elias:** I am pleased to respond to Bill No. 66 in Committee of the Whole. My comments will be short, but I do have a couple of questions.

It seems to me that the essence of the amendment is to establish a new president who is responsible for the Yukon Lottery Commission, the Yukon Liquor Corporation and the Yukon Housing Corporation, and the Crown corporations will be split off from the Department of Community Services. Bill No. 66 essentially creates a new high-level bureaucratic position within the territorial government, with a corresponding high-level salary. Can the minister shed some light on how much this new permanent position will cost taxpayers?

**Hon. Mr. Lang:** Giving an overview of cost, the total new resources will include five FTEs and \$632,000 for O&M ongoing funding, and there was a \$10,000 one-time capital funding; relocation of the existing shared services resources to the corporation and to Community Services. Impacts of apportioning the cost-shared service to each corporation will be included in the supplementary budget tabled this coming fall.

**Mr. Elias:** If the new Crown corporation split off from Community Services is supposed to enhance program service delivery, we'd like to know a little more detail with regard to what this entails. What benefits are expected from this change? What program enhancements are anticipated? Will these program enhancements offset the costs of the new high-end salary that has been created?

**Hon. Mr. Lang:** The short-term and long-term benefits are the same: improved service delivery. We want the best performance possible from deputy ministers and corporation presidents. Our current budget levels, combined with the new funding initiatives, mean that concentration, management and close attention are needed to better ensure that spending pro-

duces the best value return to Yukoners. This government is accountable for the results of that spending and takes this responsibility very, very seriously.

One such example is the new funding for social housing that Yukon Housing Corporation will be responsible for, over \$50 million to be spent over the next two years. Another example is the new infrastructure funding that is available to the Yukon and for which Community Services was primarily responsible for administering in order for the funds to be fully and properly utilized. There are numerous consultations, planning exercises and agreements that must be completed. Effective, high-level direction is critical to ensure that Yukoners benefit from the most appropriate initiatives the funding can support.

What are these changes going to achieve for Yukoners? Appointing one president to manage and oversee spending in the corporation along with one deputy minister to oversee the multiple facets of Community Services will better ensure high levels of corporation and departmental performance through an enhanced focus on all programs and services delivered by the respective corporations and department. This translates into optimum program services and projects that serve all of Yukon.

The management changes that are enabled by this bill will allow these leaders to manage these existing organizations more effectively in the current environment. Even under the new model, they are faced with challenges, tasks and of course responsibilities.

**Mr. Elias:** I thank the minister for the response. This is a clarification question with regard to the reporting structure of the new president. To whom does the president report? I'll begin with that question.

**Hon. Mr. Lang:** The individual would report to Economic Development, Minister Kenyon.

**Mr. Cardiff:** Just to be clear because of the way that the explanatory note reads. It says, "This Bill amends the *Housing Corporation Act* and the *Liquor Act* to provide for the appointment under the *Public Services Act* of the Presidents of the Yukon Housing Corporation and the Yukon Liquor Corporation."

Is there going to be one president for both corporations or are there two presidents — one for the Yukon Housing Corporation and Yukon Liquor Corporation?

**Hon. Mr. Lang:** It will be one president overseeing both.

**Mr. Cardiff:** The minister said that, along with this office of the president of the Crown corporations, it will cost the taxpayers approximately \$632,000 annually? Is that the ongoing projected annual cost?

**Hon. Mr. Lang:** That is correct. That is what is budgeted.

**Mr. Cardiff:** I would be interested to know — the Minister of Community Services is telling us that the reporting structure is that they are going to report to the Minister of Economic Development, but I assume that that is in his role as the minister responsible for the Yukon Housing Corporation and the Yukon Liquor Corporation.

**Hon. Mr. Lang:** That is correct.

**Mr. Cardiff:** Thank you, Mr. Chair.

**Hon. Mr. Lang:** I am sorry, Mr. Chair, I made a mistake there.

**Chair:** Order please. Before members can speak, they have to be recognized by the Chair. Mr. Cardiff was speaking.

**Mr. Cardiff:** I will defer and let the minister clarify with the new information he has received.

**Hon. Mr. Kenyon:** Just to clarify, the Member for Mount Lorne is correct — he would report to the minister responsible for the Yukon Housing Corporation as well as the minister responsible for the Yukon Liquor Corporation. Economic Development has no direct role here.

**Mr. Cardiff:** The only other question I have has to do with accountability and the ability for Members of the Legislative Assembly to get information as directly as possible and to ask questions. There are a couple of other Crown corporations — three to be specific — that report directly or are required to appear before the Legislative Assembly. I'm just wondering why in this instance — this would have been an opportunity to allow for the president of these corporations to appear here in the Legislative Assembly so that we could ask questions. These are arm's-length corporations that are there to serve in the public interest.

There is revenue generated by one of them. There is a large expenditure of public monies on the part of the Yukon Housing Corporation and, as we heard earlier today, there is a need for housing for a wide variety of needs. There is also a lot of controversy around how liquor revenues should be directed.

I am just wondering why we didn't take this opportunity to amend these acts so that we could hear directly from the board chairs of the corporations and the president of the corporations, as well.

**Hon. Mr. Lang:** Those are decisions that could be made down the road, but they weren't made at this time. So those are questions that could be asked down the road as we move into this new structure.

**Mr. Cardiff:** Well, in the interest of accountability — I mean, obviously, we saw on Thursday that the government is not prepared to amend legislation on the floor and they are not prepared to even stand down for a day or two to amend legislation. It just makes sense to me that we do this for the Yukon Energy Corporation and Yukon Development Corporation. We do this for the Workers' Compensation Health and Safety Board. It is in the interest of accountability and public expenditures. It would make sense that we look at doing this.

I know that we're not going to be able to change the legislation on the floor today. I understand that. The minister says that we could look at that and it would be something that we look at down the road. Could I ask the minister to undertake looking into that? I don't believe that it would be a big or difficult change to make to the legislation. Would he undertake to look into that over the summer and report to the Legislature in the fall about what he discovers? I would be more than happy to support a piece of legislation in the fall that would allow for the appearance of the chairs and the president in the Legislative Assembly.

**Hon. Mr. Lang:** Mr. Chair, I remind the member opposite, this is a very simple split of the responsibilities. That's what we've done with this bill. I encourage the member to bring that up. These are things we talk about, but as far as what we're talking about today, this is a very simple splitting of responsibilities within the department. It's something that was addressed in January and certainly we're doing the work today to finalize it. All the questions the member has can be asked and certainly should be asked as we move through.

**Mr. Cardiff:** The minister avoided answering the question. He says I can bring it up in the future. Well, why would I want to bring it up in the future? This is the time to bring it up. We're discussing the act right here. This is the piece of legislation that we're discussing. All I'm asking him to do is look into it over the summer and report back to the Legislative Assembly in the interest of accountability. We don't always get knowledgeable answers from the ministers who are responsible as they're not dealing with it on a day-to-day basis.

It gives us an opportunity to spend an hour or an hour and a half with the board chair and the president and ask them questions about the operations of those Crown corporations. All I'm asking the minister to do is to look into it and report back. He can say yes or he can say no, but he can't tell me to look into it in the future.

**Hon. Mr. Lang:** No, all I'm saying is that what the member opposite is proposing is a shift in major policy initiative. This is not some small thing. This is a policy change that is quite large. So again I say to the member opposite that I'm not prepared to take that assignment on by myself. As we go through the next couple of years, these are things that could be brought up and we can discuss them on the floor here, but doing that would be a major shift in policy initiative, so I'm not prepared to say yes or no here today.

**Mr. Cardiff:** Well, maybe the minister could answer this question. Does the minister see the benefit of having the president and the chair appear in the Legislature? If so, because it's such a major shift in policy, would he consider discussing it with his Cabinet colleagues over the summer?

**Hon. Mr. Lang:** Mr. Chair, I would discuss any issue with my Cabinet colleagues in the government. We discuss many, many issues. Those are some of the things we do discuss.

**Mr. Cardiff:** So I think I got a commitment that the minister will discuss this with his Cabinet colleagues over the summer; I think that's what I heard him say. I'm not sure, but I guess I will have to wait until the fall and ask him in the fall. I have no further questions. Thank you.

**Chair:** Is there any further general debate?

Seeing none, we will proceed with clause-by-clause reading of Bill No. 66.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Lang:** I move that Bill No. 66, *Corporate Governance Statute Law Amendment Act*, be reported without amendment.

**Chair:** It has been moved by Mr. Lang that Bill No. 66, *Corporate Governance Statute Law Amendment 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 Committee of the Whole?

#### Chair's report

**Mr. Nordick:** Committee of the Whole has considered Bill No. 67, *Act to Amend the Employment Standards Act*, and directed me to report it without amendment.

Committee of the Whole has also considered Bill No. 66, *Corporate Governance Statute Law Amendment 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. 67: Third Reading

**Clerk:** Third reading, Bill No. 67, standing in the name of the Hon. Mr. Lang.

**Some Hon. Member:** (Inaudible)

##### Point of order

**Speaker:** On a point of order.

**Mr. McRobb:** On a point of order, Mr. Speaker, I just want to put on the record that the government failed to notify House leaders this morning there would be third reading on this bill and the next one to come. It's not a big deal, but it is in terms of protocol to show respect to all members during these meetings that such business should be identified.

##### Speaker's ruling

**Speaker:** Thank you. There is no point of order. It is simply a dispute among members. As members know, the Chair has no control over what goes on in House leaders' meetings.

**Hon. Mr. Lang:** I move that Bill No. 67, entitled *Act to Amend the Employment Standards Act*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 67, entitled *Act to Amend the Employment Standards Act*, be now read a third time and do pass.

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. Kenyon:** 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. Cardiff:** Agree.

**Mr. Edzerza:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried and that Bill No. 67 has passed this House.

*Motion for third reading of Bill No. 67 agreed to*

##### Bill No. 66: Third Reading

**Clerk:** Third reading, Bill No. 66, standing in the name of the Hon. Mr. Lang.

**Hon. Mr. Lang:** I move that Bill No. 66, entitled *Corporate Governance Statute Law Amendment Act*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 66, *Corporate Governance Statute Law Amendment Act*, be now read a third time and do pass.

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. Kenyon:** 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. Cardiff:** Agree.

**Mr. Edzerza:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried and that Bill No. 66 has passed this House.

*Motion for third reading of Bill No. 66 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Mr. Nordick):** Order please. Committee of the Whole will now come to order.

### Bill No. 15: *First Appropriation Act, 2009-10* — continued

#### Department of Energy, Mines and Resources

**Chair:** The matter before Committee is Bill No. 15, *First Appropriation Act, 2009-10*, Department of Energy, Mines and Resources.

Do members wish a brief recess?

**All Hon. Members:** Agree.

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

*Recess*

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

### Bill No. 15 — *First Appropriation Act, 2009-10* — continued

#### Department of Energy, Mines and Resources

**Chair:** The matter before the Committee is Bill No. 15, *First Appropriation Act, 2009-10*, the Department of Energy, Mines and Resources, Vote 53.

**Hon. Mr. Cathers:** It's a pleasure to rise here in debate today on the Department of Energy, Mines and Resources.

The Department of Energy, Mines and Resources has primary objectives, including responsibly managing the Yukon's natural resources and ensuring integrated resource land use,

promoting investment in the responsible development of the Yukon's mineral, energy, forest or agriculture and land resources and providing strategic leadership for natural resource policy and planning, supporting and facilitating implementation of the *Yukon Environmental and Socio-economic Assessment Act*.

Our budget for 2009-10 focuses on these objectives and supports the government's key commitments to a prosperous, diversified economy and practising good government. In the coming year, key initiatives of Energy, Mines and Resources include delivering an enhanced Yukon mining incentives program for 2009-10, with significantly increased resources from the previous level of \$700,000 per year to the new level of \$1.8 million.

Other key initiatives include the following: successful integration of the land planning branch into the department; preparing for the Alaska Highway pipeline project open season in 2010; finalizing new regulations under the new *Forest Resources Act* and the *Quartz Mining Act*; completing YESAA and water licence applications for the Faro mine complex final closure and remediation plan; recommending a preferred closure and remediation plan for Mt. Nansen and Clinton Creek mine sites; developing a biomass energy strategy; working on policies for independent power producers and net metering — beginning those stages as outlined in the energy strategy released in January this year — and completing major mine development regulatory approvals for the start-up of the Carmacks Copper, Mactung and Keno Hill mine projects.

The overall budget for the Department of Energy, Mines and Resources for this year is \$58.16 million, with operation and maintenance comprising \$53.1 million and the department capital budget of \$5 million.

Total O&M and capital revenues this year are estimated to be \$26.4 million, including a \$23.8-million recovery from Canada, and I would note that the bulk of those recoveries, as I will outline in detail later, are related to the type 2 mine sites.

Mr. Chair, I'd like to take a moment to share with Members of the Legislative Assembly some of the highlights from this budget.

In northern gas and mineral resources, Energy, Mines and Resources has made significant progress in streamlining the Yukon's regulatory regime. A new fish habitat management system has been established to support Yukon's placer mining industry. As members will recall, this is flowing from the federal government decision back in 2002 — the then Liberal federal government, when they cancelled the long-standing Yukon placer authorization. There has been significant work from department officials, from industry stakeholders, from First Nations and, of course, the placer secretariat that was established to develop this new system and provide certainty to the placer mining industry, in terms of the opportunities and the roles that will be in place, as well as ensuring that, while providing for conservation and fish habitat, there is some reasonable level of allowance and arrangement for responsible activities to occur and that there has been some level of common sense brought to the assessment and to this regime, which was not the case back

in 2002 when the then federal Liberal government made that decision without any warning to stakeholders.

We are very pleased with the work that has been done and very pleased with the work both by officials and by the current federal government in their willingness to listen to Yukoners' concerns and recognize the value of this industry.

A key component of our economy — placer mining — is now managed under a watershed-based authorized system that recognizes the importance of a sustainable placer industry to Yukon and the importance of protecting fish and fish habitat that supports fisheries.

In the coming year, the Department of Energy, Mines and Resources will complete implementation of the new placer regime. The Yukon Placer Secretariat is engaged in consultation and is developing authorization for the Alsek, Liard and Mayo River watersheds. The secretariat is also guiding the first annual adaptive management cycle under this system for managing placer mining activity under the *Fisheries Act* — \$307,000 has been allocated for this fiscal year to enable work at the Yukon Placer Secretariat.

Progress in streamlining the Yukon's regulatory regime has also been made with legislative amendments to the *Quartz Mining Act*. These amendments make Yukon more competitive in the mineral sector and support continued investment in the Yukon communities and businesses.

The amended *Quartz Mining Act* and accompanying regulations lower exploration costs by streamlining and modernizing how mineral claims are administered in the Yukon. Investment in mineral development will also be encouraged by providing a competitive royalty rate that places us among the more competitive Canadian jurisdictions, but is not the lowest rate.

We remain committed in these challenging economic times to continue efforts to support growth in Yukon's mineral resources sector. With the Yukon geological survey, we will deliver and enhance the Yukon mining incentive program to help sustain exploration activity during the current economic downturn. I would point out that this program — the Yukon mining incentive program, commonly known as YMIP — has been very successful in identifying a number of promising mineral deposits in the past number of years. The successes of this program include 20 of the most promising deposits that have been identified through work done under YMIP.

Secondly, a key reason for the significant one-time increase to this program in this year is that the funding for mining exploration is one of the areas that has been hit by the current world economic downturn, particularly that early stage of exploration, which is one of the areas that we know is challenging companies in terms of finding investors at this point in time, as investors become less prepared to take on activities that have risks entailed with them, as of course exploration, by its very nature, does.

By using the successful program and significantly increasing it from \$700,000 to \$1.8 million in this fiscal year, we hope to mitigate some of the anticipated downturn in exploration activity and continue to see Yukon citizens working in the field. I should mention that also adds to the work done under the *Quartz Mining Act*, including the regulations put into place,

effective April 1, to reduce some of the administrative burden and administrative costs being faced by mining companies in the exploration stage. We do look forward to success through that as well. Through those steps, among others, we are reducing those unnecessary costs and helping mining exploration industry's dollars go further. We encourage them to continue employing Yukon citizens in the field this summer.

Industry response to the funding increase has been overwhelmingly positive and the quality and scope of project proposals received to date have the potential to result in significant new mineral discoveries.

\$3.1 million operation and maintenance and \$2.5 million capital has also been allocated to the Yukon Geological Survey to enable the work necessary to gather new data and update Yukon's databases of geological information. The Yukon Geological Survey has an outstanding geoscience database, and we are continuing to contribute to its growth and maintenance. The database supports industry investment and development, land use decision-making and contributes to the overall wise stewardship of our resources.

This government has also made significant investments in infrastructure development to assist the mining industry, including dedicating \$31 million to improving and upgrading infrastructure on the southern Robert Campbell Highway over the next three years, and of course that is within the Department of Highways and Public Works. I would remind members opposite who have been critical of that investment that it is through that investment that projects such as Yukon Zinc — between this year and next — anticipate spending \$240 million in developing that mine. It is through that investment in our existing highway system that mining companies, including that very significant investment, are continuing their work, because without a suitable and safe infrastructure corridor, the companies will not make those production decisions.

So hopefully the members have recognized the value of investing in our existing highway system, to ensure that it facilitates those significant investments in Yukon's resource sector that will result in significant employment of and benefit to Yukon citizens.

We will be providing \$10 million for the construction of phase 1 of the Carmacks to Stewart Crossing transmission line — again an investment that not only provided a mine that is employing Yukon citizens with access to affordable power but resulted in the reductions of many thousands of tonnes of greenhouse gases that would have otherwise been produced by their diesel generators had they been required to use them for mine power production. As well, very importantly, it got the community of Pelly Crossing off diesel generators and that resulted in a reduction of their emission of greenhouse gases. I also understand that there has been a significant reduction in the sound level in that community that improves the overall atmosphere in the area.

Another investment, of course, is the resource access road program that is housed in the Department of Highways and Public Works, but it is managed in partnership with Energy, Mines and Resources. It will provide \$500,000 per year over a four-year period to address the increasing demand for upgrad-

ing and improving public roads that are used to access natural resources. That program is specifically structured to also encourage private sector work in that area to improve the likelihood of a project being approved.

Energy, Mines and Resources is not working alone in those efforts. We are continuing to work effectively with our partners. We have strengthened relationships with industry and First Nations through continuing partnerships, including the Yukon Mineral Advisory Board and the Yukon Mine Training Association. In addition, the Yukon government reached consensus with Indian and Northern Affairs Canada, the Selkirk First Nation, the Ross River Dena Council and the Liard First Nation on a closure plan for the Faro mine complex, which was a very challenging area. I may point out to members who may not be aware that it is in fact the largest environmental liability on the Government of Canada's books. Of course, it provided significant benefit in terms of jobs and economic opportunities during the period of its operation, but the resulting environmental liability is one that is a stark reminder to us of why using modern mining techniques and ensuring appropriate monitoring and compliance is necessary. We never want to see that type of liability in the Yukon ever again. The plan enables the governments involved to move forward on closure of the Faro site, protecting human health and the environment while creating a positive economic legacy in relation to eliminating and remediating the negative environmental legacy.

Closure planning also continues for the Mount Nansen and Clinton Creek sites with the goal of developing options and seeking final closure and remediation plans for each of these sites by the end of the 2009-10 fiscal year.

The Yukon government continues to provide Yukon First Nations and Yukon communities with jobs, training and business opportunities and benefits from work related to the type 2 mine sites.

In 2008-09, the Yukon government provided employment opportunities related to type 2 mine sites for approximately 90 Yukoners, including 55 employment opportunities in Faro, 25 at Mount Nansen and five for Clinton Creek. The work of the assessment and abandoned mines branch on these projects is supported by \$23 million in recoveries from Canada.

In oil and gas, the Yukon government and the Government of Canada have signed a memorandum of understanding that advances Yukon interests in offshore oil and gas resources. This memorandum of understanding provides a significant new opportunity for the Yukon to be actively involved in offshore resource management and enables the Yukon to work with industry on important Yukon benefits, including training, employment and business opportunities.

Energy, Mines and Resources also continues to participate on several Beaufort Sea planning initiatives, such as the integrated ocean management planning process and the Beaufort regional environmental assessment to ensure that Yukon's offshore interests, particularly those related to oil and gas development, are adequately addressed.

Energy, Mines and Resources will also continue to work toward development of northern natural gas pipelines that will provide lasting benefits to Yukon citizens. As members will be

aware, we support construction of the Mackenzie gas project and the Alaska Highway pipeline project, recognizing that governments, though key players in the process, are but a small part of it; that the dollars required to build either one of those projects will require the private sector, which will benefit from that, to put the cash on the table — and we are talking many billions of dollars in these cases. The issues related to the markets, et cetera, are beyond our hands but it is our job to be pipeline ready and we are doing just that.

Energy, Mines and Resources continues to work with First Nations, industry stakeholders and other governments to ensure that all are prepared and ready to meet the opportunities and challenges that lie ahead and maximize the net benefit to Yukon and Yukon citizens.

To enable this work, we have allocated \$3.2 million to the oil and gas resources branch, including \$200,000 to support the continued work of the Aboriginal Pipeline Coalition. With membership of seven of the nine Yukon First Nations located along the Alaska Highway pipeline route, the APC has an important role in ensuring member First Nations are able to be better informed in making decisions about the project.

In sustainable resources, a future of sustainable environmentally responsible growth in Yukon's forest sector has been established with the new *Forest Resources Act*. The act establishes a proactive management approach that supports a modern forest industry while recognizing the importance of forests to the Yukon way of life.

The new *Forest Resources Act* reflects the Yukon government's commitment to building a viable forest industry. The forest act and accompanying regulations will provide for sound and sustainable forest management that is responsive to changing conditions. Following a period of public consultation on the proposed regulation content, it is anticipated that the act will come into force later on in this fiscal year, with the hope that it will be in time for the issuance of authorizations required for some harvesting of timber in the winter.

There is \$2.6 million operation and maintenance and \$900,000 capital allocated to the forest management branch to enable this work and the ongoing work of the branch to ensure that timber is available for Yukon forest projects. A key component of the forest management branch's work is in forest management planning. Forest planning provides certainty with respect to land-based and sustainable harvest levels. Forest planning initiatives in the development of wood and salvage opportunities with the Champagne and Aishihik First Nations in southwest Yukon, as well as other community initiatives, will continue this year.

Energy, Mines and Resources also recognizes the need to promote growth of existing investment and encourages new investment in the forest sector, accomplished through methods including tracking market opportunities, promoting local forest projects, exploring market potential for bioenergy and enhancing the capacity of the local workforce through education and extension services.

Mr. Chair, I believe that I am almost out of time with my introductory remarks, so I will close by providing a response to questions the members of the opposition asked during the op-

position briefing on the Department of Energy, Mines and Resources and I will provide them with documents. Members asked for a comprehensive funding arrangement for Government of Yukon environmental management activities, type 2 mine sites for 2008-09. We will be sending that over as well as a map displaying the status of lots of the Marshall Creek agriculture subdivision. I will provide that to members later. In grabbing my notes here this afternoon, I realize that I did not actually have that with me, but I will send that over either later today or at some point tomorrow to provide members with information that I outlined.

The following is a list of community gardens and greenhouses in Yukon in answer to questions asked by members in the opposition briefing: Beaver Creek, White River First Nation community garden and greenhouse, funded in part through CDF; Carcross has two small community greenhouses and a garden; Carmacks-Little Salmon First Nation has two greenhouses and a community garden, again funded in part through CDF; Dawson has a community garden project initiated this year; Haines Junction has a greenhouse that I understand requires some repairs after the building collapsed this winter. Pelly has initiated a community greenhouse and garden projects initiated this year; the Teslin Tlingit Council has a community garden and greenhouse project, funded in part through CDF; Whitehorse Downtown Urban Gardeners have a community garden; and the Kwanlin Dun First Nation has a community garden and greenhouse, again funded through CDF.

I trust that information will answer the questions members asked. I look forward to further questions from members.

**Mr. McRobb:** Thank you, Mr. Chair, and I thank the minister for those opening comments.

I would like to express appreciation to all the dedicated employees working in the Department of Energy, Mines and Resources. We know it's a very large department with responsibilities that span across several key areas within the Yukon from mining to agriculture to forests to energy, Mr. Chair. It covers quite a few important bases. I would especially like to thank the officials who attended the briefing earlier this year. Certainly the Yukon is very fortunate to have such experienced professionals working within our public service.

I would like to suggest that we could easily pass this department today provided we stay focused on the questions and answers. I would like to express some disappointment that we haven't yet received the briefing requests for information that the minister alluded to. Once again, we point out that it would be more respectful to members on this side of the House if that information was provided in advance of when the debate is scheduled to occur.

So having said that, I am prepared to proceed directly to the questions. I would like to start with a question about elk farming. Could the minister provide us an update on the plan for elk farming in the territory?

**Hon. Mr. Cathers:** I would point out, first of all, in response to the subsidiary comments from the Member for Kluane about the two documents the member requested in the briefing — or that someone requested during the opposition briefing — which I committed to send over. The comprehen-

sive funding arrangement between the Government of Yukon and the environmental management activities on type 2 mine sites for 2008-09 is a contract.

I would be very surprised if there is anything in there that the member would be using for debate. That document will be provided. As I indicated to the member, I had hoped to send it over to him right now, but I realize that I left the document upstairs and, secondly, of course, a map of lots in the Marshall Creek agricultural subdivision. Again, this was something I trust will be helpful to the member, but I think that the member is overplaying the impact that those two documents would have had in debate. We will provide the member with that information and hope that he will find it of interest.

Mr. Chair, continuing on with my remarks, as I was somewhat truncated in time, the Yukon government is continuing to support the development of the Yukon's important agriculture sector. Through a variety of initiatives, Energy, Mines and Resources is assisting Yukon farmers in their efforts to provide more locally grown products. There is \$1.7 million of operation and maintenance allocated to the agriculture branch for 2009-10 fiscal year, and the funding will enable a wide variety of programs that support the industry, including agricultural land and grazing lease disposition programs, extension services that provide education and technical services to farmers, animal health and testing programs, meat inspection services, operation and maintenance for the mobile abattoir, and research and demonstration projects designed to improve the economics of northern agriculture.

\$450,000 for capital has been allocated to the agriculture branch to conclude the development and sale of agriculture parcels near Haines Junction. This planned agricultural land development enables the coordinated use of infrastructure, such as roads and hydro and will allow for orderly planning of other services while ensuring that land is available for Yukon's agriculture sector.

The Yukon government is also looking forward to increased cooperation with Canada on agriculture programs, and we look forward to announcing success in formalizing this cooperation very soon, notably with the Growing Forward agreement. Implementation of the Canada-Yukon Growing Forward policy agreement will provide \$592,000 per year from federal funding, matched by 40 percent territorial dollars — again, on a 60:40 cost-sharing basis — for a total of \$987,000 per year of investment in Growing Forward, which provides programs and cooperate toward three strategic outcomes: a competitive and innovative agriculture sector, a sector that contributes to society's priorities, and a sector that is proactive in managing risk.

And, of course, a key Yukon priority for agriculture is increasing the local production of food, both from small and large producers — large, of course, in a Yukon context. But, in saying that, I point out that I mean creating the opportunity for both larger farmers and those operating on a very small basis to be better connected with opportunities to market their products, increase the opportunities and benefit for them in selling those products and increasing the benefit to Yukon citizens through



having locally accessible, locally grown, healthy food available.

Partnering with the federal government in the Growing Forward agreement will allow the Yukon to invest in programs and infrastructure that support growth of our agricultural industry. The flexibility of the agreement will also allow us to target the needs and priorities of Yukon farmers and work with them to increase production of Yukon-grown food.

Overall, Growing Forward will provide the means to implement the programs and initiatives that support the development of a profitable and sustainable Yukon agriculture industry.

In the lands branch, Energy, Mines and Resources is continuing to make land available to Yukoners for community, residential, recreational, agricultural and industrial purposes.

Cumulatively, \$3 million for operation and maintenance has been allocated for the land management and land planning branches. With the transfer of land planning functions from Community Services, the department is integrating all land planning and management responsibilities for lands outside of municipalities including land, zoning, subdivision applications and policy developments under one roof, ensuring a streamlined, transparent and responsive decision-making process, making it better for staff to work together collaboratively and in a timely manner to achieve our goal of expediting the timely, effective and quality services available to Yukon citizens. They are now located all on the third floor of the Elijah Smith Building in one area making it easier for the Yukon public and for staff to do that work and to focus on further improving the service in addition to the work that has already been done in these areas.

This coordination of land services will provide improved public access to a wide range of land programs and administrative services. Yukoners now have one convenient location to do their lands-related business. Energy, Mines and Resources also leads land planning on a regional basis through the management and coordination of Yukon government's regional land use planning responsibilities. The objective of regional land use planning is to provide guidance for the integrated management of lands and resources in order to enable sustainable development and minimize land use conflicts.

Under energy and corporate policy, the Yukon government has demonstrated our commitment to maintain our environment, our economy and the high quality of life in Yukon through measures including the release of the energy strategy for Yukon. The energy strategy, which I launched in January of this year, was developed in consultation with stakeholders, the public and other governments. I thank all of those who participated in that and all the staff who worked on that for their many hours of work in that area.

The energy strategy provides important guidance for how we produce, conserve and use energy in Yukon. This strategy is aimed at ensuring our energy resources are managed in a planned and careful manner and meets the needs of the Yukon now and into the future.

This coming year we will continue to work with Yukoners to implement the strategy. The department will also work

closely with Yukon Development Corporation and the Yukon Energy Corporation to facilitate the completion of the Carmacks to Stewart transmission line and the Mayo B electrical infrastructure project.

Also helping to achieve the objectives of the energy strategy are the programs and services delivered by the Energy Solutions Centre. The Energy Solutions Centre delivers energy efficiencies and renewable energy initiatives across the Yukon and distributes information on energy efficiencies and renewable energy technology. This coming year the Energy Solutions Centre will continue to encourage initiatives to encourage conservation such as the good energy rebate program and the rebates that it provides Yukon citizens on the purchase of energy-efficient products. And that, of course, includes appliances, stoves, heating products, et cetera as well outboard motors.

The program supports the energy strategy by helping Yukoners choose efficient products that can reduce energy costs and consumption. As a result, the good energy rebate program is an important element in Yukon government's effort to help Yukoners lower their energy costs as well as encouraging more energy conservation. The program provides cash rebates ranging from \$100 to \$500 on high-efficiency kitchen and laundry appliances, solar domestic hot water systems, pellet and wood stoves, oil and propane furnaces, and boilers and outboard boat motors. \$1.2 million has been allocated to support the numerous renewable and energy efficiency projects led by the Energy Solutions Centre. These projects will further advance our knowledge of these technologies and potentially provide green economic opportunities for Yukoners.

Mr. Chair, across all sectors, it is essential that the Yukon government continue to work with Yukon citizens and with Yukon First Nations to involve them in the Yukon's resource economy by ensuring participation of and consultation with First Nations through the assessment and regulatory phases of major mine development, supporting and working with the Alaska Highway Aboriginal Pipeline Coalition to develop the necessary capacity for meaningful participation in the Alaska Highway pipeline and working with First Nations to complete and implement strategic forest management plans.

As well, it is working with First Nations to explore opportunities for joint development of public and First Nation land for community, residential, recreational, commercial and industrial purposes, and identifying training needs to assist First Nations in maximizing business and employment opportunities for their members and corporations in relation to care and maintenance activities and in preparation closure implementation of abandoned type 2 mine sites.

Energy, Mines and Resources continues to contribute to the Yukon government's goal of building a strong and diversified economy that will benefit all Yukoners. We are doing this by providing leadership in energy policies and streamlining the Yukon's regulatory regime to provide certainty and encourage investment. These efforts are yielding results and the foundation is being laid for a long-term sustainable resource sector in the Yukon.

In closing, I would like to take this opportunity to again thank the staff of Energy, Mines and Resources for their work.

It has been a pleasure working with them since July of last year. This of course being my first opportunity to debate the main estimates is an occasion that I am very pleased to see. I look forward to the continued work throughout this year in working with Yukon citizens. I would also note, as I have mentioned before, that the efforts of staff has not gone unnoticed.

We have in fact heard from other governments across the country that, particularly in the resource sector, they hear very positive comments from industry about the work that is done by the staff of Energy, Mines and Resources in providing good client services and in helping companies understand and meet the regulatory requirements. Thus, through the work that is being done, they are ensuring that the Yukon is clearly open for business and attracts investment, while also fully exercising the responsibility to all Yukon citizens to ensure that we exercise the appropriate regulatory controls and ensure that projects occur fully within the law, including the protection of the environment and preservation of the natural ecosystems, et cetera.

So, Mr. Chair, in closing, the projects and initiatives I've spoken about would not be possible without the hard work and dedication of the staff of Energy, Mines and Resources. That largely concludes my remarks.

In answer to a specific question that the Member for Kluane asked, it was not clear exactly what his focus was.

I would point out to the member that the Department of Energy, Mines and Resources, as with other involved Yukon departments, continues to support the growth of our agriculture industry and continues to provide opportunities for those within that industry to provide Yukon-grown food including efforts such as the purchase of the mobile abattoir, support for the Fireweed Community Market and the many initiatives that have been undertaken and will be undertaken in this area. The purchase of a no-till seed drill is one example and the purchase of fertilizer bins — again, a few examples off the top of my head of the ways that the Yukon government is continuing to support the agriculture sector.

**Mr. McRobb:** The minister got up with another 20-minute speech and yet he didn't respond to the question, which was about elk farming. What are the minister's plans with respect to elk farming? He also pointed out that he thought the opposition wouldn't have any questions on the material that he's withheld and continues to do so. But I would suggest that's highly presumptuous on his part. It's far better to let the opposition decide if they want to ask questions on any documentation that's provided. It's not up to the government to make that decision for the opposition members.

Getting back to the question, can we get an answer?

**Hon. Mr. Cathers:** Again the documents that the member requested — I would remind the member of what they are. Perhaps the member forgot. I suspect that he did indeed forget until I reminded of him. He asked for the comprehensive funding arrangement, Government of Yukon environmental management activities, type 2 mine sites for 2008-09.

If the member fully reads it, I would be very surprised if he has questions. If the member does have questions, upon reviewing that, I would encourage the member to ask them. Perhaps we will still be in debate. If we are not still in debate, then

I would encourage the member to write me a letter and I would be happy to respond to his request. Again, the materials were requested; however, it does take some time to put these materials together and the opposition cannot necessarily have all information at a whim as quickly as they would like it. We will provide that information. Again I reiterate that if the member has questions regarding it, if we are still in debate in Committee of the Whole, I will attempt to answer the questions. If we are not in debate, I would encourage the member to write me a letter outlining his questions related to it.

The map on the status of the lots in the Marshall Creek agriculture subdivision, again, that is information that pretty much answers itself. The member wants to see a map. That map will be provided.

Mr. Chair, the member is indicating that he didn't think that I answered a question. I think I did answer that question. We will continue to support the agriculture sector and Yukon farming.

**Mr. McRobb:** What is the minister's plan with respect to elk farming? Does the department have a position with respect to the elk herds in the territory? There are two of them. There have been calls for extermination of these herds. Does the department not have a recommendation with respect to that matter?

**Hon. Mr. Cathers:** The Department of Energy, Mines and Resources will work with the Department of Environment — which has the lead in the elk management plan — in moving forward to provide appropriate management of the Yukon's imported wild elk herds. These animals were imported through the work of the Yukon Fish and Game Association and the government of the day.

Again, that work is ongoing and, as members are well aware, there is certainly significant impact being felt by Yukon citizens through the significant expansion of this herd; however, the work on the management plan, again, is being done and the Department of Energy, Mines and Resources will be providing input through officials on technical matters. So for the member to ask what is the position is a bit of a strange way to phrase the question. Either the member is not aware of how the process works or he is reflecting on it in a way that does not accurately reflect the process. Again, I would point out to the member that yes, there is significant impact occurring.

The herd has expanded beyond the original population size that was envisioned, including work in a 1990 report done by the then Department of Renewable Resources, which determined that an appropriate herd size for the Takhini herd would be 100 animals. This was due in part to the identified carrying capacity within the area through extensive work that the department outlined in that area — the predicted carrying capacity of different types of range. Certainly the population is beyond that size at this point in time. That being said, again, the work on the management plan is being done. I know that a number of Yukon citizens, including my constituents, are very eager to see the management plan move forward and the herd size reduced to a more reasonable size, where it is not expanded beyond its core range.

But there is a process underway that involves multiple stakeholders, including First Nations, the Fish and Game Association, the Yukon Agricultural Association — and I know I'm missing some off the top of my head, but those are examples of some involved — and, of course, renewable resources councils are involved with that as well. So there are multiple stakeholders involved. The Department of Environment is proceeding with their work in that area.

**Mr. McRobb:** Okay, so it appears that the minister doesn't have a position with respect to the elk. What about the elk contact with farmed animals — for example, other elk in captivity and intrusion on other local properties? I've heard complaints as recently as today that farmers in the area are concerned. These elk access their properties and consume their hay stock. Does the minister have any solution to this problem?

**Hon. Mr. Cathers:** Apparently the Member for Kluane is not aware of the program that we have. As I've indicated to Yukon farmers who have contacted me directly, as well as to the Agricultural Association, we are reviewing the programs that we have provided within Energy, Mines and Resources to alleviate some of the impact that is being felt by property owners through this wild elk herd growing in size and moving into areas that it previously was not in, since the period in time when it was imported to the territory by the government and the Fish and Game Association.

I would again point out that the significant expansion of the herd in size is a problem. Work is underway to deal with it and as the member well knows, the government operates as a collective body. It is appropriate for ministers to work directly together collectively as we are doing, and it is appropriate for departments to work together. The member should know that departments do not take positions in this matter until they have worked together to come out with an outcome in this regard. Although work is ongoing to determine the most appropriate method of dealing with this, I would point out that through the work of the Department of Environment as the lead, but with the participation of Energy, Mines and Resources — particularly the agriculture branch — work is being done to see some improvement in the management of the herd.

There is still further work to be done to determine exactly the action plan and how to proceed with this. But, certainly, efforts are moving forward, and I would point out that if the member returns to the last work that was done on this subject by the then Department of Renewable Resources back in 1990, it envisioned further work occurring in 1998 when, if memory serves, the member was in government at that time. The government he was a part of did not fulfill the earlier commitment to move forward with a modernized management plan for the herd.

So that's water under the bridge, but I would point out that we're doing the work that should have been done earlier and that had been envisioned in the last management plan would have been done during the period of time when the member was actually in government and had an opportunity to do something about it. We are dealing with this matter. The Department of Environment does have the lead in dealing with this issue. The Department of Energy, Mines and Resources, through the

agriculture branch, does make available some level of compensation for hay and fencing, et cetera, that has been damaged, as well as a fencing support program.

Again, as I have indicated to farmers, to the Yukon Agricultural Association and to others, we are seeking input right now and reviewing the terms of those programs to determine if some adjustments need to be made based on their first year of operation in what was a new concept, new program, and thus needs some evaluation to occur on whether it is meeting the needs or whether we should make some improvement.

Ultimately, of course, the reduction of the herd to a more appropriate size that can be largely housed within the core range is the best method of reducing conflicts with farmers and other land owners and the damage to their crops, their fences, et cetera.

**Mr. McRobb:** The minister pointed out something that happened in 1998 — going back about four elections ago. I would be remiss if I didn't put on the record that the Premier was part of that government back then, too, and he has been the Premier for the past six and half years and yet this problem remains unresolved.

I want to ask a few energy-related questions — starting with the rate stabilization fund. Members on the government side have indicated recently the expiration date of the program, set for about two months from now, was under review. So what's going to happen? Will bills increase 15 percent on July 1 as planned or will the government be extending this program?

**Hon. Mr. Cathers:** First of all I'd like to correct the Member for Kluane. When I referenced 1998, he said that I referred to something that was done; no, I was pointing out something that was not done as it should have been, and I remind the member opposite that it was his riding and mine that were affected by this area. In fact, the area primarily affected was mostly within his riding at that point in time. I recognize that the discussion of the past is simply a discussion of the past but I was simply reminding the member that, in fact, had the work that was committed to in 1990 been done in 1998, in fact we would probably not have the problem that we have today when the herd grew in size from an identified number of 30 to 35 elk, according to Department of Renewable Resources numbers in 1990, to its current size in excess of 300 animals, when the envisioned population size that Department of Renewable Resources said could appropriately be carried and fed within the core range was 100 animals. So again, that speaks to the challenge we have. That work is being done to address the work that should have occurred in 1998, had the plan been followed that was developed back in 1990.

Moving on to questions the member asked about energy policy: I would point out to the member — he asked about the rate stabilization fund — I would again remind the member that, as we've said before, we will be assessing that matter; we're going to let the Yukon Utilities Board do their work in the current hearings that are coming up within a few days. We will assess what decisions they make that may lead to a reduction in rates prior to the end of the rate stabilization fund.

We are not going to make decisions or announcements at this point in time that would confuse the YUB process. We will

allow them to make the assessment of the rates and the government will take whatever action it deems appropriate, if we believe there is further work necessary to ensure that Yukoners' power rates receive some level of reduction or alleviation.

We would certainly hope to see that outcome and we will have to assess it certainly to determine what decisions are made by the YUB. But again, we are not going to affect the Yukon Utilities Board process by making announcements before it, because that would undermine the work they do and the determinations they make in evaluating the proposal by the Yukon Energy Corporation, including the proposals made for revenue by that corporation. We will let the quasi-judicial body do its work.

**Mr. McRobb:** I am not sure if the minister understands this but Yukon Electrical Company Limited — the private sector company who bills customers — requires one month's full notice before any billing changes. So in effect, the date of a decision to be made on this is less than a month away. Does the minister really expect a decision from the Yukon Utilities Board within a month? Because, Mr. Chair, if he does he is probably going to be very disappointed. There is a timeline and a process set out that involves arguments and rebuttal arguments, and it is quite common for this board to rest on matters for a period of two months or more before making a final decision. It wouldn't surprise me to see the Yukon Utilities Board's final decision come out sometime in August or September — possibly even as late as October.

This program is set to expire in less than two months, and there is the one-month notice factor, so if what the minister says is true, then obviously the program will expire and it won't be extended. Perhaps he plans to bring it back in at some point after the Yukon Utilities Board makes a decision. Is that what he really plans to do?

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

#### *Recess*

**Chair:** Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 15, *First Appropriation Act, 2009-10*, Department of Energy, Mines and Resources.

**Hon. Mr. Cathers:** I would like to begin by sending over a copy of the information that I referred to earlier to the Member for Kluane as well as to the third party. That is the status of lots in Marshal Creek agricultural subdivision. This will show, as the member will see, the list of those lots that have currently been sold as well as those that are currently available as well as the comprehensive funding arrangements, Government of Yukon environmental management activities type 2 mine sites for 2008-09, as requested.

I trust members will find that of interest. If they have any questions, I would encourage them to let me know what they are.

The Member for Kluane asked some questions related to the rate subsidization fund, as it should more properly be called. The government has of course continued the RSF to

sometime this summer and we will not create, as I indicated earlier, a bunch of debate that affects the Yukon Utilities Board process at this point in time. We will let them make their decisions, including what are reasonable costs for consumers and whether the rate proposals by the utilities are appropriate or whether they make some other determination related to revenue requirements, et cetera.

Of course in their first round, they have indicated they are certainly doing their work and are not simply signing off on what is requested. So we of course as a government — and I would encourage the opposition to do the same — will wait to see what the Utilities Board does. The board will make its decisions and we will of course — following that — determine what, if any, action is required by the government with regard to things, including the RSF. I would point out to the members as I've said before, we will evaluate it prior to the end of the RSF date and determine whether a continuation is necessary or not. Until that point in time, we will allow the process to continue and will not get into pre-empting it or affecting it with determinations around subsidization.

**Mr. McRobb:** As already put on the record, if what the minister says is accurate, then the program will have to be extended, pending the final decision by the Yukon Utilities Board, and Yukon Electrical requires at least a month's notice in order to adjust the billings. So that gives us about three or three and a half weeks to make a decision. The decision will have to be to extend the program, pending a final decision from the Yukon Utilities Board.

So my question is this: when does the government intend to make the decision to extend the program, pending a decision by the Yukon Utilities Board?

**Hon. Mr. Cathers:** I already answered that question. I think, in fact, that the Member for Kluane has not understood it. One other point I should point out to the member is that the government is not going to be driven by private corporations' timelines around billing. Certainly, we recognize those issues.

If there are issues around what one bill says, that is a minor factor if the rate for the month is adjusted later through timing of when they do their paperwork. If they're not able to adjust their computer system and billing cycle as quickly as they should, that is a matter of their internal billing approach. We are not going to be driven by the timelines of that corporation. The government will maintain its role in ensuring that the policy, approach and outcomes for Yukon citizens are as effective as possible and in keeping of course with the Yukon energy strategy. This will include working with the utilities and working with stakeholders and ratepayers and other Yukon citizens around areas including strategies such as these: enhancing the supply of electricity and managing demand to ensure access to a secure, reliable and cost competitive source for electricity; maximizing use and efficiency of existing hydroelectric infrastructure; increasing and diversifying the Yukon's supply of electricity from renewable resources to decrease diesel use and minimize greenhouse gas and air emissions; considering renewable energy and cleaner sources, such as natural gas, for all new electricity projects; leveraging territorial, federal and private funds in infrastructure investments to meet growing elec-

tricity demands and promote economic development; informing the public about the true costs of electricity; promoting incentives and initiatives to encourage energy efficiency and conservation; managing electricity demand to reduce energy requirements at peak times; and working with the Yukon Development Corporation, Yukon Energy Corporation and Yukon Electrical Company Limited to develop an improved approach to managing electricity generation distribution with the objectives of improving reliability, providing downward pressure on rates and expanding the system to meet the needs of a growing Yukon economy.

Again, these goals are outlined in the Yukon's energy strategy released in January of this year. It is the first comprehensive energy strategy ever done in Yukon. This document, of course, is available on the Web site and for the member's reference, I was reading from page 14 under goals identified under the heading electricity, and these are but a few of the areas. Other areas and priority actions include the following: support strategic investments in infrastructure to increase the supply of electricity of renewable sources; enhance existing hydroelectric infrastructure; develop new sources of hydro, wood, wind or geothermal energy; assess the feasibility of expanding the Yukon transmission system to connect to other communities, industrial projects or jurisdictions; connect the two Yukon electrical grids by completing the Carmacks to Stewart transmission line; update and develop the policy framework for electricity that emphasizes efficiency and conservation of renewable energy; facilitate the purchase of electricity from independent power producers; allow individuals to connect renewable energy sources to the grid; develop and implement demand management programs and incentives to promote energy efficiency and conservation; support research and development of technologies and policies that will optimize the use of hydroelectricity; and consider appropriate goals, responsibilities and corporate structure for Yukon Development Corporation and Yukon Energy Corporation to assure effective management and operation and optimize efficiency and reliability of electricity generation and distribution.

Again, these are but a few of the things outlined in the energy strategy. The energy strategy is focused on electricity investments for the future, including increasing supply of electricity, especially from renewable sources and managing demand to ensure Yukoners are making optimal use of electricity resources.

It includes investing in additional electricity infrastructure to keep pace with growing electricity needs of individuals, businesses and communities, and recognizing that, "New industrial projects will require reliable and affordable energy in order to go forward." So investment in electricity infrastructure must be aimed at leveraging economic development for the territory.

Again, Mr. Chair, I could go on for quite some time. The visions and principles are outlined in this document. The areas outlined in the energy strategy include vision and principles; they include efficiency and conservation; they include renewable energy; they include electricity; they include oil and gas; and, they include energy choices.

So, again, Mr. Chair, the energy strategy looks ahead to the future. It envisions a sustainable energy sector that is environmentally, economically and socially responsible, and the energy strategy considers how Yukoners can best develop and use energy resources to meet the territory's energy needs and generate benefits for Yukon people.

In framing key energy issues for the strategy, the government has concluded that initial efforts should concentrate on energy efficiency and conservation, renewable energy, electricity and oil and gas. While the Yukon government is leading the development of the implementation strategy, it recognizes that other governments and organizations have an important role to play and that all Yukon people have a stake in the outcome.

So I would again point out to the member that we, of course, as I indicated, will assess the RSF program prior to the end of that program and determine whether it is appropriate to extend it and, if so, at what level. However, we are not going to have the debate in the Yukon Utilities Board process be affected by decisions at this point in time. We will let them do their work, including their determination of what is a fair and reasonable cost for Yukoners to pay, whether the cost proposals of corporations are indeed appropriate, and let them make their determination without affecting it at this point by debate or announcement.

We will certainly allow that process to continue and I would remind the member that our priorities will continue to be focusing on investments, improving the system and ensuring that the system now and into the future meets the needs of the Yukon system, which includes, as I mentioned, improving the management of electricity and improving the system reliability. It includes growing the energy electrical grid for the needs of tomorrow, as well, to ensure that it is providing and maximizing the opportunities for economic development, including recognizing the conservation importance of reducing the use of diesel fuel and the resultant creation of greenhouse gas.

Mr. Chair, again, those are the priorities in this area. I hope this has provided some clarity to the member opposite on what our priorities will be. I remind the member opposite that, while the Member for Kluane has been focused on his pet approach to subsidization, we will be focused on investments that reduce the short- and the long-term costs to Yukon citizens, including — I would remind the member — the investment in the extension of the power line that connected Pelly Crossing and the Minto mine, which resulted in more revenue for Yukon Energy Corporation and allowed them to submit an application that includes that increased profit, thus providing some ability — subject to the Yukon Utilities Board's decision — that there is some opportunity for reduction in rates or reduction in the growth of rates as a result of the increased investment of that increased revenue stream.

In conclusion, the member can continue to ask me this question; the answer will continue to be the same. We will make the appropriate decision at the appropriate time.

**Mr. McRobb:** Provide clarity — the matter's as clear as mud. Based on what the minister said, there's reason to be suspicious about his understanding about the Yukon Utilities Board process, Yukon Energy Corporation's profits and so on.

He runs down the rate stabilization fund, yet he indicates the Yukon Energy Corporation will have more profits in order to offset rates. Well, that's exactly how the rate stabilization fund has been working in recent years. It's funded through those profits that are transferred to Yukon Development Corporation.

Don't get me going on that, because it used to be funded by government until the Yukon Party took control and shifted the funding burden to the Yukon Development Corporation, which in turn was competing for funds that were needed to invest in renewal of our existing electrical grid and has led to increased blackouts and so on.

My next question has to do with net metering. About two years ago, there was a bill on the floor of this House. The Yukon Party scuttled that bill, saying that its energy policy would be bringing forth this initiative. Well, Mr. Chair, here it is two years later and we still don't have any net metering bill. So, when will the minister be delivering a net metering bill before this House?

**Hon. Mr. Cathers:** I would point out to the member in fact that his reflection of the rate stabilization fund's history is not correct. The rate stabilization fund was funded through a cash contribution from the Yukon government to the Yukon Development Corporation at one point in time but again, it was still subsidization, and ultimately the fundamental structure of the program at its outset was flawed.

We are again faced with dealing with the outcome of governments that chose the quick and popular route of short-term gain through subsidization, rather than the responsible route of investing, maintaining and upgrading the system. That short-term benefit jeopardized future stability of the system and jeopardized future cost reductions. The NDP and Liberal governments took money that should have been spent on maintaining and upgrading the system and spent it on subsidization and pet projects instead.

**Some Hon. Member:** (Inaudible)

**Hon. Mr. Cathers:** Again, as I've reminded the Member for Kluane, despite his catcalls, the member forgets that Yukon Development Corporation did fund it through contributions from the Yukon government, but it might be characterized as "robbing Peter to pay Paul". Ultimately, the government was taking taxpayers' money from their pockets with one hand and giving it back to them on their power bills with the other hand and hoping they wouldn't wise up to what was occurring.

So I would point out that we, of course, are being frank with the taxpayers on the cost of this program and reminding the member that the program has cost — the RSF, better termed the "rate subsidization fund" — has cost over \$32 million since 1998. This is money that would have been better spent invested in upgrading the system, resulting in improved efficiencies that would have created lower costs down the road instead of choosing the quick and popular route of subsidization.

We will focus on determining how we can best work with utilities and, following the decisions made by the Yukon Utilities Board, determine how we can best move forward to result in Yukoners have the lowest possible electrical rates and ensure that the system stability continues to be focused on and up-

graded — recognizing that maintenance was neglected for quite some time when governments were spending on pet projects, including on the RSF.

I remind the Member for Kluane that his work as energy commissioner focused on subsidization. He should have focused on upgrading the system, investing in the maintenance and reflecting real costs and making real investments that would have created today that strengthened system with reduced rates. Unfortunately, we are faced with the outcomes of those short-term decisions that were not in the long-term best interests of Yukon citizens.

Mr. Chair, the member also asked about net metering and he talked about his bill. I would remind the member, first of all, his bill was — if I may say — half-baked. It was not well-thought-out; it did not reflect input from Yukon stakeholders, as the energy strategy does. It did not include that extensive work with stakeholders and with officials in the department, as well as the involvement of the utilities and, of course, Yukon citizens.

In the energy strategy we have identified that we will be moving forward with net metering as one of the short-term policy objectives within the energy strategy. It will be a net metering policy. There will not be a net metering bill. If there are legislative changes necessitated, those would occur to some other piece of legislation, but in fact the more likely outcome is there would be no need to make any legislative changes.

I hate to rain on the Member for Kluane's parade, but he may not have as much opportunity to stand up in the House on a piece of legislation as he had hoped to and claim it was really his idea all along and that the bill is just like his, or maybe that it — well, I won't speculate further on what the member is likely to say, as I believe, Mr. Chair, you would likely rule that out of order.

I would simply point out that the member ought to recognize that the approach of actually working with stakeholders prior to developing the end outcome is the more appropriate method and that is exactly what we are doing. Again, it is one of the short-term policy initiatives that will be acted on within this year.

The independent power producer policy and initiatives related to demand-side management are a few of the short-term initiatives that policy work will be underway on — including a consultation with stakeholders. This, of course, will include other energy alternatives. The focus will be on hydro. It is a priority for some of the investments being made but we are also working on those energy policy initiatives necessary to facilitate other types of energy production with renewable energy, of course, being the goal: to have renewable energy as being the preferable source of electricity.

We are addressing and allowing for things, including the mention of oil and gas, within this area.

That is another form of energy, and oil and gas will continue to be something that Yukon citizens require for vehicles and generators off the grid where they are not on a solar system or wind system and ultimately opportunities in Yukon's oil and gas sector, whether it be from oil or natural gas, will provide opportunity for not only reduced carbon emissions from it be-

ing locally produced rather than trucked and shipped halfway around the world, but it will provide the opportunity for Yukon economic benefit.

I'd remind the member that under oil and gas on page 18 of the energy strategy, it identifies the goal that oil and gas resources will be developed responsibly for local use within the Yukon and export. Strategies include the following: developing an oil and gas sector in a way that will deliver the greatest benefits to Yukon; promoting efficiency and conservation for the use of oil and gas resources; reducing Yukon's reliance on imported fossil fuels; protecting environmentally and culturally significant areas throughout the Yukon; the oil and gas rights disposition process; facilitating onshore and offshore oil and gas exploration and development to optimize benefits for Yukon people; improving information about oil and gas resources to encourage investment and facilitate responsible resource management; working with First Nations on a common onshore oil and gas regime; partnering with other governments, industry and Inuvialuit on planning for offshore oil and gas development; and enhancing human resource capacity for the oil and gas sector through education, training and employment opportunities.

So again, Mr. Chair, I am pointing out to the member that the energy strategy is comprehensive. It addresses the many types of energy usage in the territory and is focused on providing for Yukon's future — again, the objective being to maximize local benefit, to reduce carbon emissions and, to the best extent possible, engage in an environmentally responsible Yukon energy production, not just for electricity, but indeed for all areas that we focus on — reducing carbon emissions and reducing other pollutants, as well as when those energy resources are developed ensuring that their development occurs in a responsible manner.

Of course, there are other opportunities, as I've mentioned, including other renewable sources, such as biofuel, bioenergy, and the opportunities around wind and solar, particularly for small-scale consumers, providing the benefit of reducing their reliance on fossil fuels if they are off the grid. Through the development of the net metering policy, this will provide the ability for consumers to potentially be selling energy back to the grid and reducing their energy costs. So that, of course, will encourage Yukoners, through solar, wind and hydro, to consider getting into the energy production business on a very small scale.

I would hope that the member would be aware of work that has gone on in other jurisdictions around this area where they have made significant efforts in some jurisdictions to try to increase that very small-scale local production. We are going to be doing that, as well as through an independent power producer policy, providing opportunities for somewhat larger producers to produce what will be likely fairly small-scale production, but larger than an individual household might supply. We are going to work to facilitate and encourage those investments and those initiatives that maximize the environmentally responsible way in which the Yukon produces its electricity and provides for other energy needs as well.

**Mr. McRobb:** The minister forgets that it was the Yukon Party who eliminated the clawback feature of the rate stabilization fund. It eliminated the conservation signal that was built into the program. We don't hear any mention from him about that, do we?

I mentioned earlier that we should proceed expeditiously with the budget debate, but the minister's answers extended from close to the area of the question to just about everything else in his energy policy, and he personalizes debate. Well, I am not going to lower my quality of debate to that level. I am going to rise above it and stay to the issue.

Well, the minister's catcalls from across the way — Mr. Chair, okay.

**Some Hon. Member:** (Inaudible)

#### Point of order

**Chair:** Mr. Cathers, on a point of order.

**Hon. Mr. Cathers:** That was certainly not a catcall. I was laughing at the member's assertion that he doesn't personalize debate.

#### Chair's statement

**Chair:** There is no point of order.

**Mr. McRobb:** Let's all try to focus on being expeditious with the questions and answers, shall we?

Let's go to Mayo B. Can we get an update on the cost, timeline and the funding sources for this?

**Hon. Mr. Cathers:** Work is ongoing on that. There is no update that I can provide the member at this time, beyond to say that efforts are ongoing. Energy, Mines and Resources has a role to play in working on this project, but ultimately the Yukon Energy Corporation — which is under the Yukon Development Corporation — is the lead for this. The involvement, of course, occurs through other government departments, including the Department of Finance, and ultimately the efforts to seek federal funding in this involve others as well.

However, at this point in time, the work that is being done on the project — I would remind the member — is being done by the Yukon Energy Corporation. They would have the most detailed day-to-day update on that. At this point in time, all I can say to the members is we will certainly update them in the future.

I want to go back just very briefly to the Member for Kluane's mention of the RSF and talking about conservation. I would point out to the member that mentioning what would be better termed the "rate subsidization fund" and "conservation" in the same sentence is ludicrous. That fund was absolutely contrary to energy conservation initiatives and at cross-purposes to it.

Ultimately, as I've pointed out to the member, what we are going to be doing is focusing on lowering the real cost of energy, rather than on simply subsidizing it as the member would do and has done in the past. The government that he was a part of through his work as energy commissioner continued the approach of taking money out of taxpayers' pockets with one hand, giving it back to them on their bill and hoping they wouldn't notice the little game that was going on in that area.

We're going to focus on lowering real costs by working with the utilities, et cetera, in this area.

**Mr. McRobb:** I take offence to the use of the word "game," as implied by the minister. There was no game. At the time this was set up, it was made very clear how the program was funded. If there are any games taking place, Mr. Chair, it's entirely within the interpretation we've heard from the government side.

I also take issue with the minister's understanding of the rate stabilization fund. I would agree with him on one aspect: it was at cross-purposes to conservation, but only after the Yukon Party removed the clawback or energy conservation signal.

It's very interesting to hear that this minister, who likes to stand up during Question Period and answer all of the energy questions, now has no answers regarding the Mayo B project which, if it is undertaken, will be the biggest and most costly project ever undertaken —

**Some Hon. Member:** (Inaudible)

**Mr. McRobb:** Well, the catcalls continue, Mr. Chair.

— the costliest project in the history of the Yukon Territory, by quite a bit, and yet he has no information on the costs, timeline or anything other than to say work is progressing. Is his answer the same on the Pelly-to-Stewart transmission line or can we get a cost estimate and a timeline and an indication of the funding source on that?

**Hon. Mr. Cathers:** Mr. Chair, I have answered that question. Again, I have to point out the member, I know, keeps returning to defend his record on the rate subsidization fund. I point out to the member that that fund, the very existence of it, was always counter to the interests of conservation. It was always encouraging energy inefficiency and always hiding the real cost of energy from Yukoners, rather than doing what I would characterize as the responsible thing and investing in measures that lead to long-term lower power rates and reduction in any growth in those rates.

But again, I know the member is emotionally attached to that program because he connected his name to it in a policy document some time ago, but I would encourage the member to recognize the error of his ways and recognize that investing in the future and investing in lowering the real costs of energy is better than simply engaging in an endless arrangement of taking money from taxpayers' pockets with one hand and handing it back to them and saying, "How do you like me now?"

I would point out again the Mayo B project — that process, that project — is still going through the YESAA process. The work that is ongoing on that — the member has heard rough numbers. The estimates that are contained within the budget as far as an update from that point in time — as I've indicated to the member — is not information that I am able to give the member at this point. It is being managed day-to-day by the Yukon Energy Corporation. If costs change potentially as a result of decisions by the Yukon Environmental and Socio-economic Assessment Board, then we will be sure to let the member — along with all members of the public and all members of this Assembly — know of the change in projections that will occur.

I will point out to the member that it is important to invest in expanding and strengthening our electricity grid and that is what the project is about. I'm a little bit surprised. I thought that the member's leader had supported this project, so again we seem to see a bit of a disconnect between what the real position of the Liberal Party is in this area, where the member and his leader on so many files — including mining — appear to have very different world views of situations and they can't seem to get their story straight from one day to the next in the House.

Mr. Chair, I think that has answered the member's questions.

**Mr. McRobb:** The minister can't help but continuing to personalize debate. I will give you an example of what I mean by that. His accusation that my name, that somehow I was emotionally attached to the RSF, is why I keep raising this issue. That is an example of what I mean by personalizing debate.

When I raised the questions on the elk earlier today, I didn't put on record that it was the Member for Lake Laberge who wanted to get the reindeer slaughtered on the Mayo Road a few years ago in his riding.

**Some Hon. Member:** (Inaudible)

#### Point of order

**Chair:** Mr. Cathers, on a point of order.

**Hon. Mr. Cathers:** The member is contravening 19(g) by imputing unavowed motives to another member and accusing me of advocating something that he knows I never did.

#### Chair's ruling

**Chair:** The Chair actually feels there is a point of order and I would ask the member not to do that.

**Mr. McRobb:** Well, there is one for the books.

Mr. Chair, again, I call on the minister to avoid personalizing debate and try to act expeditiously as we debate the budget and stick to the questions and answers. Now, obviously, the government has no answer on the cost of the transmission line from Pelly to Stewart, and I take exception to the minister characterizing my question about the cost estimate and misconstruing that into a conclusion that we're against this project. The minister used the word "ludicrous". Well, Mr. Chair, at the risk of stooping in debate, I would suggest that to reach a conclusion that we're against a project because I ask about the cost of the project, is absolutely ludicrous in itself.

Let's see if we can get an answer to this question. There has been recent progress made in the area of defining and developing the Yukon's geothermal potential. Can the minister give us an update on that?

**Hon. Mr. Cathers:** First of all, I would point out to the Member for Kluane that I am reminding him of what his record is in certain policy areas. The members of the opposition do that on a daily basis to members of the government side. But apparently when they do that, it's not personalizing the debate, even when it includes the Member for Mayo-Tatchun calling on the Minister of Education to resign or ask to be shuffled.



For the member to suggest that I'm personalizing debate, that it's only ever the government side that personalizes debate, simply flies in the face of the facts. The members again, on a daily basis, connect members of the government personally to policy issues and they're the opposition's version of history and the record, which of course we often have no choice but to disagree with because it does not reflect the facts. I would point out to the member that this type of debate on who's personalizing debate and who isn't is a pretty pointless way to spend an afternoon in this Assembly.

The member can draw whatever conclusions he wants. If he feels being reminded of his past policy positions is too personal, then I have no answer for him on that, beyond to state that the facts are the facts.

Again, Mr. Chair, I would point out that, with regard to the costs of both Mayo B and the transmission line, the connection to the second stage, to Stewart Crossing, I have no update to provide the member beyond what is already stated within the budget documents. The member has seen it. The member has listened to the budget speech and I have no update beyond those numbers. The numbers have not been revised in any numbers that I have seen since that period in time.

If revisions occur in the future, in terms of actual cost expenditures — in the normal course of any project, costs typically either go up or down from the original estimate, and sometimes go up within some areas of a project and down in others. The member is aware of how that evolves and I point out to the member that I don't have an update for him in those areas.

The member asks about geothermal and the member knows that is the type of question that he should best ask the chair of the Yukon Development Corporation, the Yukon Energy Corporation and the president and CEO of the Yukon Energy Corporation during their annual appearance in the Assembly. They are the ones who have done work on geothermal and they are the ones who have in the past and have indicated they plan in the future to do work in that area. I would encourage the member to ask those questions when they come before the Assembly, as is the practice.

The member ought to be well aware of the fact that the Department of Energy, Mines and Resources is not out with officials on the ground doing assessment and exploration into geothermal, because that is housed with YDC/YEC which, of course, the Member for Porter Creek North is responsible for and is avidly listening to the member's question with the attention it deserves.

Mr. Chair, I would point out to the member he should ask those questions of the appropriate people. Energy, Mines and Resources itself is not doing the work to which he refers.

**Mr. McRobb:** Okay, so obviously the minister is unaware of any progress in geothermal in order to give us an update. Regarding Mayo B and the transmission line extension projects, the minister referred to the budget. I would like to go on record as saying there is nothing in the budget for those projects — nothing.

Let's move on. I want to ask about renewable energy development. What projects are being looked at for near-term development?

**Hon. Mr. Cathers:** I'm a little bit puzzled. I'm wondering whether the Member for Klwane was listening to the budget speech when there was an update contained on the expected costs of Mayo B and of the line extension to Stewart Crossing — the Carmacks-Stewart transmission line project. I'm not sure whether the member was not listening or day-dreaming or something when the budget speech was going on, but he might want to take a look at the budget documents there. It's in the budget speech. The update he asks for is there. I've informed him that the numbers have not changed since that point in time and, if they do, we will certainly let the public and the member know.

Again, as far as short-term energy projects, what does the member think Mayo B is, if not an energy project? What does the member think the \$4.25 million contained within the budget for the third turbine at the Aishihik dam is, if not investments? Again, I point out to the member that as far as other opportunities, the significant mention within the energy strategy of independent power producers and working with existing utilities to see continued investment within energy — what does the member think those are? What does the member think the work I mentioned around bioenergy production initiatives are? That's an area, as I reminded the member — though he opposed the inclusion in the *Forest Resources Act* of a definition to allow the use of wood for bioenergy.

The First Nation in his area — Champagne and Aishihik First Nations — had in fact requested that very inclusion and that very amendment, which we incorporated in the final *Forest Resources Act* and we are looking at those opportunities, including this fiscal year. The Energy Solutions Centre is working with the City of Whitehorse to examine the economic and environmental feasibility of installing and operating a wood fibre-based district heating system in the city. The system will require a local sustainable source of quality biomass. Options are also being explored for small-scale biomass fuel district energy systems in other Yukon communities.

Energy, Mines and Resources is continuing to work with Highways and Public Works as well as with CanmetENERGY — the federal agency — to commission the fluidized bed gasifier at Yukon College. This project also has the potential to provide a market for wood pellets and potentially facilitate opportunities for a made-in-Yukon wood fuel pellet manufacturing industry. But again, work is being done in this area to determine what is feasible. It's anticipated that the fluidized bed gasifier will be made available for researchers to test alternative fuels and uses for the combustible gases it produces, such as small-scale electricity production.

These are but a few of the initiatives that are underway. I did mention this early to the member around biomass. I have elaborated on that at this point in time, but it does become a little bit frustrating in debate when the member doesn't appear to listen to the answers that are given and instead reverts to the questions that he has already scripted along with the usual stock intro around some version of how he claims that the

question wasn't answered, when in fact it has indeed been answered. I have provided a response for the member and I hope he finds this a sufficient response.

**Mr. McRobb:** For the record, there is nothing in the budget on the Mayo B project. It was mentioned in the Premier's budget speech, but there is no line item in the budget anywhere for this project. There is no indication anywhere where the funding for this project is coming from. The minister should realize that.

He keeps repeating this independent power producer policy. I recall that there was one passed by the Yukon government about 15 years ago. I would like him to explain what the difference is between this one and the one that was already put into effect.

I have also got a related question: the Government of British Columbia is moving ahead with independent power producers in that province to our south. It is currently under a lot of fire from its political opponents for basically giving away the watershed rights to companies. I would like to hear the minister's response to that.

**Hon. Mr. Cathers:** First of all, what is it about working with stakeholders to develop a policy that the Member for Kluane doesn't understand? We haven't predetermined the policy as the member attempted to do with his flawed net metering bill. We are going to work with the stakeholders to determine what that should be. That includes those interested in becoming independent power producers as well as Yukon ratepayers and Yukon consumers. That work is a short-term policy initiative that government will be commencing.

As far as how it differs from a policy of 15 years ago, I point out to the member opposite that a policy that didn't work, and didn't effectively encourage investment by individuals and private companies in small-scale independent power production — clearly that policy needs to be updated and needs to determine what actually is necessary to encourage that private sector investment. Again, if the member wants to know the differences, I can tell the member that, first of all, the key difference is going to be that we intend to have a policy that actually works and that actually gets used rather than sitting dormant on a shelf because it is ineffective and doesn't encourage that investment.

Now, the member is trying to get into a whole bunch of hypothetical questions and is really on a fishing expedition here, but I'd encourage him to confine his fishing activities to the Yukon's lakes, rivers and creeks, rather than getting into a bunch of hypothetical trips down some interesting course of view and interesting path. I would again encourage the member if he's fishing this year to remember to get a licence for doing so.

I would point out to the member that, again, the independent power producer policy will be developed, but we are going to work with existing and potential stakeholders to determine what the structure of the policy should be.

**Mr. McRobb:** Well, it was rather entertaining to hear the minister refer to the original IPP policy as being ineffective and without stakeholder consultation, because he may not realize that it was put in place by a former Yukon Party govern-

ment. The minister of the day was none other than the current chair of the Yukon Energy Corporation and Yukon Development Corporation. Isn't that one interesting?

The minister refuses to comment on major issues south of our border about the water rights, and I find that interesting as well, because the same issue might arise in the Yukon. And to avoid any confusion, I'm not siding with a criticism; I'm merely asking the minister for his opinion on this matter. But he obviously does not have an opinion.

Mr. Chair, I want to move on to the Alaska Highway pipeline project and the government's preparedness. This is something that the minister referenced earlier. He talks about being pipeline ready.

**Some Hon. Member:** (Inaudible)

**Mr. McRobb:** I can hear catcalls from across the way, "Pipeline ready, pipeline ready." Mr. Chair, we have heard this now for about six years from the Yukon Party that they are pipeline ready. I remember taking issue with it about five years ago and pointed out various initiatives that were being ignored, which certainly would fall into a reasonable assumption that they fall into that group of pipeline ready. I want to ask the minister what is being done within government to become pipeline ready and, moreover, what is left remaining to become pipeline ready?

**Hon. Mr. Cathers:** First of all, I point out to the member that the member is trying to get into debates about policies and which government came up with an IPP policy in the past. Again, I would point out to the member that although he appears to be trying to put words into my mouth in this case, we are not reflecting on intentions of those who develop the policy. We trust that they wanted the policy to work. The point is that the policy has not been effective. Therefore, we need an independent power producer policy that reflects the needs and interests of Yukon citizens and provides opportunity for private sector investment in independent power production while, of course, ensuring that it is done in a manner consistent with the best interests of Yukon citizens.

With regard to the Alaska Highway pipeline preparedness, again the member should know that both TransCanada and Denali are holding open seasons prior to the end of 2010 and as a result, of course, we are continuing our work to support the pipeline project and continue to work with First Nations, industry stakeholders and other governments to ensure that all are prepared and ready to meet the opportunities and challenges that lie ahead. This includes establishing interest-specific inter-departmental subcommittees to advance our understanding of each interest and preparing strategies to meet our needs, and identifying interests both to the companies and federal government because of their role in this process around the Yukon's key interests. Prior to the open season, the Yukon will be focusing efforts on its seven key interests, including fiscal advantage, social investment, access to energy from the pipeline, the ability to put gas on and take it off and connecting Yukon natural gas.

Those are some of the areas where short-term work will be done. But we will continue to do that work in advance of the open season.

I would point out to the member that there has been a lot of good work done by officials in this area. It's unfortunate that the member keeps trying to characterize this as not being an effective process and diminishing the efforts of all who have been involved, not only officials within the Yukon government, but also those within First Nations who participated and have put time into this. The member may not appreciate their efforts, but I do.

I'm confident that work is proceeding well to be ready if a decision is made to build the Alaska Highway pipeline at the end of the open season. We will be ready for that. Of course, I would point out again for the member that with the vagaries of the market and the decision to invest billions of dollars, the cost for natural gas has declined significantly from where it was at before. Longer term projections are more positive but there are a number of factors, including the current shortage of capital, which potentially could negatively impact the decision to build the pipeline at the end of the open season. Certainly it is our hope that that will not be the case, as there is benefit to the Yukon in the Alaska Highway pipeline being built.

We will have to wait to see where that process takes the producers and what decision they make. The Yukon will, I have every confidence, be ready for the pipeline if that decision occurs but some of that final work will have to be done once we have a more clear process in place. I remind the member that Trans Canada PipeLines Ltd. themselves are doing some work this summer in communities and will be providing information on their view of the project to Yukon citizens directly. We will, of course, monitor that, as well as engage directly ourselves, but there will be our continued work, which will increase where necessary, and their work will be significantly ramped up this year.

**Mr. McRobb:** Well again, Mr. Chair, I refuse to lower the quality of the questions to the level of personal remarks. Obviously the minister has no specific projects he can identify and I'll give him an example: going back about six years when the Watson Lake weigh station was built, it was announced under the guise of being pipeline ready. There was lots of subsequent discussion about other potential projects and that was the gist of my question, but we heard nothing back.

I certainly do not agree with his interpretation that my comments were critical of the people involved in the process. Nothing could be further from the truth.

Let's —

**Some Hon. Member:** (Inaudible)

### Point of order

**Chair:** Mr. Cathers, on a point of order.

**Hon. Mr. Cathers:** The statement, "nothing could be further from the truth" has been ruled out of order many times in this Assembly, and the Member for Kluane, of course, just used it. It is, of course, in contravention of Standing Order 19(h).

### Chair's statement

**Chair:** On the point of order, the Chair feels that, lots of times, terminology is used in different contexts and will

have to review the Blues on this particular case to see if there was a point of order, and I will report back if there was.

**Mr. McRobb:** Now, continuing on the Alaska Highway pipeline project, we know the old pipeline treaty was signed about 30-some years ago. Within that document, certain benefits were provided to the Yukon Territory. Since that time, people — residents of the territory and others — have had opportunity to research the value of those benefits and, in fact, have determined that there is not a whole lot of benefits within that treaty.

Recently, we were informed by officials that the Government of Yukon was renegotiating that treaty in order to improve the benefits to the territory. I would like the minister to give us an update on that.

**Hon. Mr. Cathers:** One of the reasons the Member for Kluane finds it so frustrating in debate is that he doesn't get his facts straight before he comes in. I believe the member is referring to the *Northern Pipeline Act*, but he's talking about a treaty. I don't know where the member is getting his facts but, again, the member is not correct.

I would remind the member opposite that if the Alaska Highway pipeline project occurs, if the decision is made by the producers to build it, the estimated start-up date is 2018. Some of the work that needs to be done to be pipeline ready will need to be done in advance of a potential decision to build, but there is also much that needs to be contemplated, as it has been now. But it would not be a responsible investment of taxpayers' money to spend significant dollars in those areas on work that really needs to assess the actual plan and can be completed prior to the date it would need to be done — whatever stage of the project that would be, whether building or production.

We're not going to invest money to spend money that we don't need to spend in this area, and waste it on hypothetical exercises. The work has been done to determine when certain elements of preparedness need to be done, including public consultations, work around potential social and cultural impacts, environmental stewardship, recognizing community and First Nation interests, providing the ability for gas to be put on and come off, including the possible opportunities if gas comes off the line, of what it might supply. That could include houses, power projects, et cetera.

There are lots of hypothetical potentials. We're not going to spend a lot of time chasing dust devils in this area. We're not going to look at a whole bunch of hypothetical questions and waste a lot of time at a point in time when it would not be prudent to do that work. The work has been done in determining when certain elements of preparedness need to be ready, and the work has been ongoing.

Investment has occurred, but we will not get into spending dollars on tremendously detailed planning in certain areas until such point in time as the situation warrants it. And I point out to the Member for Kluane that officials have done a very good job, in my view, of determining when those decisions, determinations and plans need to be ready and determining, if the project goes to this stage, what initiatives, planning and public consultation must be triggered on which component.

So, again, I would point out to the member that the Yukon government is preparing by working with all public governments and assessment agencies to provide for a clear and efficient regulatory process that addresses our key interests under either a *Northern Pipeline Act* or *National Energy Board Act* project because there have ultimately been different projects talked about.

I would point out that, of course, TransCanada does have a licence under the NPA, but that does not preclude the potential of other options, such as the one advocated by the Denali project that has been proposed at this point in time. This includes meeting regularly with federal counterparts, and examples are: NRCan, the National Energy Board, CEEA, Alaska and U.S. government representatives, pipeline companies, gas producers, *Yukon Environmental and Socio-economic Assessment Act* officials, and the Aboriginal Pipeline Coalition; meeting with B.C. and Alberta on the Yukon-led strategic action plan to enhance cooperation and collaboration on common issues, such as environmental assessment, regulatory certainty; and First Nation consultation and tasking the interdepartmental pipeline committee, led and chaired by oil and gas resources, to target Yukon government revenues and costs associated with open season lead-up, as well as taking the lessons learned in the Mackenzie gas pipeline project and applying them to the Alaska Highway pipeline project.

Again, as I assist with Yukon funds: the Aboriginal Pipeline Coalition assists Yukon First Nations with preparing for the pipeline — and that is a body with a mandate to serve as an educating and coordinating body for First Nations along the proposed routes on all aspects of the project, including current developments, so they can fully participate in and make informed decisions when and if the Alaska Highway pipeline project proceeds.

I would point out to the member here that it's very easy to stand up and say, "The government isn't ready. The government isn't prepared." But that is not reflective of the facts. That is not fair to officials and to First Nations who have been involved in that process and the extensive work that has been done in preparing for this project.

But I would remind him the Yukon government has and will continue to take a prudent approach to this. We will do the work that needs to be done in preparing for a potential decision to build the project, but there are certain high-cost initiatives, endeavours and work that it would not be responsible to trigger prior to a decision to build the pipeline. It is quite possible that, when the open season concludes, the decision may be that producers and those with licences, et cetera, are not able to come up with a viable project and get the investment in it. We certainly hope that will not be the situation but the predictions on the project range from "it's guaranteed to be built and there's no possible way that it won't happen" to "It's just not going to happen at all," depending on who one listens to.

We again are going to do our work on being ready for it, no matter what occurs.

**Some Hon. Member:** (Inaudible)

**Hon. Mr. Cathers:** The Member for Mayo-Tatchun is saying something. I think the Member for Mayo-Tatchun was

saying that he loved to hear my explanation here; he doesn't understand why the Member for Kluane won't accept that.

**Some Hon. Member:** (Inaudible)

**Hon. Mr. Cathers:** Mr. Chair, I think I have answered the member's question in this area. I would point out that —

**Some Hon. Member:** (Inaudible)

**Hon. Mr. Cathers:** Mr. Chair, does the Member for Mayo-Tatchun have the floor or do I?

**Chair:** You do.

**Hon. Mr. Cathers:** Thank you, Mr. Chair. Again, Mr. Chair, we have heard a lot of things from the Member for Kluane, including his big worry a few years ago with the Haines Junction bottleneck that he thought would occur on the Alaska Highway pipeline. That was somewhere in the same period of time that we heard him going into a long description of going down a trail — I believe it was by Pine Lake and the ruffed grouse or perhaps it was a spruce grouse that ran across the trail. Then we had the member getting into suggesting that we should have crossings for wildlife with lights and electronically triggered — I believe — wildlife crossings on the Alaska Highway. It wasn't quite clear whether the member envisioned the animals pressing the button or not.

You know, Mr. Chair, we have heard a lot from the member on this project. We have not heard much that has to do with or reflects what has been done.

I would note to the member that if he looks at some of the areas within the energy strategy, we talk about oil and gas — including the opportunities for not just a large project such as this, which would be federally regulated, but the establishment of new pipeline regulations under the *Oil and Gas Act* for local pipelines.

They include potential opportunities around priority access to natural gas energy from the proposed Alaska Highway pipeline or a smaller pipeline in the Yukon. The top oil and gas priority for the Yukon government of course is to result in net local benefit to Yukon citizens. We're making it a priority to do things, including supporting a possible Alaska Highway pipeline project, if and when it occurs, but also planning within our own backyard for oil and gas opportunities and developments, including the ability to put gas on and off the line.

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

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

*Motion agreed to*

**Some Hon. Member:** (Inaudible)

#### Point of order

**Chair:** Mr. Fairclough, on a point of order.

**Mr. Fairclough:** I just want to point out that we have about eight or nine minutes left . . .

#### Chair's ruling

**Chair:** There is no point of order.

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

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

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

**Chair's report**

**Mr. Nordick:** Committee of the Whole has considered Bill No. 15, *First Appropriation Act, 2009-10*, and directed me to report progress on it.

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

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

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

*Motion agreed to*

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

*The House adjourned at 5:25 p.m.*