

Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, April 20, 2010 — 1:00 p.m.

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

Prayers

DAILY ROUTINE

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

Are there any tributes?

INTRODUCTION OF VISITORS

Hon. Mr. Fentie: I would ask the House to join me in making welcome the interim Grand Chief for the Council of Yukon First Nations, Ruth Massie, and Denise Beattie, executive assistant to the Grand Chief's office.

Applause

Speaker: Are there any further introductions of visitors?

Returns or documents for tabling?

Any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

Mr. Nordick: I rise today to give notice of the following motion:

THAT this House urges the Government of Yukon, through its policies, programs, multi-year expenditure plans and diversification and marketing initiatives, to continue to promote the growth and development of Yukon's private sector economy in order to increase the private sector's current contribution in relation to the \$600-million capital expenditures planned for the 2010-11 fiscal year.

I also give notice of the following motion:

THAT this House urges Yukon's Member of Parliament to support the wishes of a vast majority of his constituents and vote for private member's Bill C-391, *An Act to amend the Criminal Code and Firearms Act* — in other words, repeal the long-gun registry, presented by the Member of Parliament for Portage-Lisgar, Candice Hoepfner.

Mr. Elias: I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to withdraw from consideration Bill No. 82, *Civil Forfeiture Act*, until public consultation has taken place on the proposed legislation.

Mr. Fairclough: I give notice of the following motion: THAT this House urges the Minister of Environment to refrain from speaking on behalf of self-governing First Nations

and to respect the ability and the authority of the First Nation governments to make their own decisions regarding what they see as priorities.

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

THAT this House urges the Yukon government to introduce amendments to the *Quartz Mining Act*, during the 2010 fall sitting of the Yukon Legislative Assembly, prohibiting mineral staking within municipal boundaries in order to:

(1) reduce the potential for conflicts;

(2) ensure better environmental protection and land use planning objectives; and

(3) modernize the act, as suggested by the Minister of Community Services at the 2010 annual meeting of the Association of Yukon Communities.

I also give notice of the following motion:

THAT this House calls on the minister responsible for consumer protection to raise with his federal counterparts at the next opportunity, the inadequacy of the recently enacted voluntary code of conduct for credit card companies and urge the federal government to bring forward real proposals that would help average Canadians by lowering rates for credit card and debit card transactions and providing some debt relief.

Speaker: Are there any further notices of motion?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: *Civil Forfeiture Act*

Mr. Inverarity: I would like to follow up with the Minister of Justice on the *Civil Forfeiture Act*.

Yesterday we raised some serious concerns about this legislation. This bill may make it tougher for criminals to keep the proceeds of crime but we believe that this legislation does not do enough to protect the innocent. There are many unanswered questions about this legislation, like how is it going to work and who will actually be affected? We believe that Yukoners need to know a lot more about this bill before it is passed into law.

Will the minister confirm that no public consultations were done before she tabled this bill?

Hon. Ms. Horne: We discussed this thoroughly yesterday. We did go out for targeted consultation on this act, the same as we did with SCAN. SCAN has proved to be very effective, as this bill will as well.

Mr. Inverarity: So there was no public consultation. Thank you very much.

Mr. Speaker, the *Civil Forfeiture Act* is up for debate. Yesterday we asked the government to hold back on this legislation until we get input from the public. We know that some of the members of Cabinet were interested in working with the opposition on this bill. We know there are some members on the opposite side who want to get this done right. We also know that there are members who also want to barge ahead without public input.

Mr. Speaker, to get this right we must consult with Yukoners and the Minister of Justice must tell us why she will not do that. Does the Minister of Justice believe that public consultation is not necessary?

Hon. Ms. Horne: I beg to differ with the member opposite. We did go out for consultation. We did do targeted consultation. We heard from Yukoners. This bill is designed to give law enforcement one more tool to combat crime where there is evidence to show there is unlawful activity. This is the same as SCAN. The public will welcome another tool that will cut down crime in Yukon. The bill has been discussed thoroughly in the House — in December and yesterday. The bill is based on legislation passed in other jurisdictions. We are drawing from the best acts across Canada, combined into our one — the latest of this legislation across Canada, and it has met with public approval across Canada, so I'm sure it will be in Yukon.

We want safer communities for our women to bring up their children — healthy families, healthy communities, a healthy Yukon.

Mr. Inverarity: Mr. Speaker, if her idea of public consultation is just going to the Crown and to the RCMP, then it's okay to just deal with the Ontario public and not Yukoners, and I think she has a lot of things to think about in the future. We have asked for public consultation on this legislation. We believe it is a simple request.

Yesterday during debate there was a break in the proceedings. There was some indication that at first the government might actually consider our request to pull this bill until Yukoners could find out more about the government's plans. But after a break, it was all business as usual. The Premier obviously made another corner office decision. Like every decision, only the government is right and everybody else is wrong.

Will the Minister of Justice do the right thing? Will she stand up for justice and make sure that Yukoners are consulted and heard?

Hon. Ms. Horne: Mr. Speaker, here we go again. We listened to the members opposite yesterday. We were open to suggestions on amendments to this act and we were willing to sit down with them. I presume this is directed at me, being in the corner office. No, I don't say that this bill has to be passed immediately; we're open for discussion with the opposition. This government is tough on crime in our communities and in Yukon. Are the members opposite not?

Question re: *Civil Forfeiture Act*

Mr. Elias: Yesterday the Minister of Justice said the *Civil Forfeiture Act* deals with property rather than individuals, and it has become very clear to our caucus that Yukoners want to have their say through a public consultation process.

There are significant questions that have arisen about the draft legislation. Case in point: the draft legislation suggests that, once a judge decides an asset is forfeited, it can be sold and the proceeds simply go into the government's general revenue and not to specific programs and services that could compensate and support victims of crime or fund crime prevention programs or remedy the effects of the illegal activity. Yukoners want and need a say. Will the minister withdraw Bill

No. 82, *Civil Forfeiture Act*, until public consultation has taken place?

Hon. Ms. Horne: We discussed this thoroughly yesterday. We discussed this in December. It was passed unanimously by this House. There were no objections; everyone agreed. We're willing to sit down and take friendly amendments, as I said yesterday on three separate occasions. We are open to discussion. If the courts find that a forfeiture of property is not in the interest of justice, the court may refuse — which happens many times — or limit the application or put conditions on a forfeiture order. The act does not target any particular type of property. The act ensures there are sufficient remedies for both sides of the equation. This is a good act. If we have any helpful suggestions or amendments, let's bring them forward and discuss them.

Mr. Elias: Mr. Speaker, that's exactly my point. Yukoners want the opportunity to have a thorough discussion and last time I looked this is a public institution and that's what we're trying to represent here. If implemented correctly, a civil forfeiture program can be an innovative and effective way to remove the profit motive from unlawful activity and enhance public safety in our Yukon communities.

The differences between the burden of proof and a civil proceeding versus a criminal proceeding has to be explained to Yukoners in a public forum because it can affect innocent Yukoners. The burden of proof in a civil proceeding follows something called a "balance of probabilities" versus the higher criminal standard of "beyond a reasonable doubt". The *Civil Forfeiture Act* is not ready to be passed into law. For the record, why is the Minister of Justice comfortable in passing Bill No. 82 into law without public consultation?

Hon. Ms. Horne: You know that is exactly what we're doing. We're taking the profitability away from crime. It's exactly what the member opposite is saying that we should do. We are taking it from the profit of criminals to the Yukoners — giving it back to the Yukoners from whom it is taken. That's exactly what we're doing.

Mr. Elias: The Minister of Justice may understand the implications of this bill; the RCMP know how it might affect Yukoners; but it's Yukoners who don't know how they will be affected by this legislation. That's what we're hearing on this side of the House.

If the government wants the public to support this, Yukoners need to be given the chance to provide input into this legislation. There are not enough safeguards in place to protect innocent people — the mentally challenged, the mentally ill. Some people might rent their house out, not knowing that there's criminal activity going on, for instance.

Anyone who gets caught up in the proceedings under this act will have to prove their innocence. So the government can take someone's property and just say, "Sue me if you want it back." These questions need answers and there are many more questions with regard to this bill.

Why does the Minister of Justice object to public consultation on this bill?

Hon. Ms. Horne: There has been consultation, as there was with SCAN, which has proven to work effectively in

Yukon and Yukon communities. If there is not enough evidence to proceed on the case, it will be rejected, as it is in other jurisdictions. There are many safeguards in this legislation, if we could just discuss it line by line. There are protections for the uninvolved property owner. We went over this yesterday.

If the property is the subject in a proceeding commenced under an application for a forfeiture order, the director must name a person or persons as a party. If they are the registered owner and the director believes they are the property owner, whether that is a whole or a part interest, those are the proceeds of unlawful activity. Of course there is consideration for those who are mentally disabled. There are safeguards in this act. If the members would stay in the House and discuss this with us, we would come to that conclusion. I recommend this bill to this House to be passed.

Question re: Health statistics

Mr. Cardiff: Mr. Speaker, last Thursday, the chair of the Yukon Hospital Corporation spoke of the health stats at Whitehorse General Hospital over an 11-year period, from 1999 until today. He spoke of increasing numbers of visiting specialists, increasing numbers of emergency room visits and increasing numbers of clinic days. This increasing usage has brought us to a situation where, in the chair's words, the facility is under tremendous pressure, and it will cost \$50 million to fix the problem.

Mr. Speaker, this boggles the mind. How did we get to this \$50-million surprise? What is going on under this minister's watch? How can we handle this \$50-million bill on top of the \$67 million the minister has already committed to three other big hospital projects? How did we get into this situation and what is the minister's plan to correct it?

Hon. Mr. Hart: I thank the member opposite for his question. Yes, the witnesses did provide substantial numbers with regard to the hospital. Whitehorse General Hospital visits over the last 10 years — there was a large increase, a substantial increase in the number of in-day patients from 1999 to 2009 — almost 2,000 additional items in that period of time. In addition to days, there were increases right through the whole process with regard to visits, services provided by the Whitehorse General Hospital and all of those items. The chair also indicated that Whitehorse General Hospital, on several occasions, was reaching its capacity with regard to patients and the patients it can handle on a daily basis. As I indicated yesterday, too, it was also demonstrated that the use of the Watson Lake facility acted as an overflow facility the Whitehorse General Hospital was able to utilize to accommodate some patients in order for them to be safely guarded during that period of time.

Mr. Cardiff: The minister didn't answer the question. He didn't say how they were going to correct this problem. There are a lot of serious studies on what Yukoners expect of their health care system, what professionals think are the best ways for health promotion and health care and what is sustainable. Nine hundred Yukoners made their opinions heard through the Yukon health care review. Studies on primary care and on rural nursing speak of the need for a holistic approach to health and the limits of the acute care model.

But the one study that seems to have caught the fancy of the minister is by an Outside consultant who specializes in P3s. This study is about how to design hospitals, not whether this is the best approach for Yukoners and addresses health care sustainability. The only study the minister reads just reinforces the big capital announcements he has already made.

What is guiding the minister's thinking and this government's vision on what to build, what services to provide, how to provide them — because we know it's not —

Speaker: Minister responsible.

Hon. Mr. Hart: The Yukon Hospital Corporation is acting under the authority of the *Hospital Act*, which clearly states that they have the ability to provide services in the regions — those being Watson Lake and Dawson City. In fact, it was our request of the Yukon Hospital Corporation to look at the transfer of the Watson Lake facility that prompted them to look at that facility, and they went out and did their due diligence. Their board of directors did an investigation to ensure they were in a position to look after those facilities and operate those facilities to ensure that we could provide enhanced health services for the citizens of Watson Lake and Dawson City, when that facility gets underway.

Yes, a substantial amount of work was done on the existing shell that's in Watson Lake. As well, it is a little easier in the Dawson City situation because we are dealing a brand new facility in regard to the health centre there. Yes, we are looking at providing health care services to all Yukoners, also affecting those within those regions.

Mr. Cardiff: The minister doesn't understand the questions. It's about more than just Watson Lake. It's about how health care is delivered to all Yukoners. I really feel for the officials of the Hospital Corporation who are on the hook for this minister's and this government's decisions that are, quite frankly, not backed up by any studies.

On Thursday the chair said that the regional hospitals will also be health centres. This is the first time that we had heard this and suggest that the officials know that this government's big announcements need more work. They know that Yukon's health needs require more than an acute care hospital setting. What a backward approach to planning, Mr. Speaker. They're doing the planning and then they're doing the studies. They're trying to back it up. The minister's current and future announcements add up to \$117 million, all likely to be borrowed money with decades of interest payments and increased O&M costs. We're being asked to go down this minister's path when he hasn't even done the homework —

Speaker: Thank you.

Hon. Mr. Hart: I thank the member opposite for where he is going. Mr. Speaker, we are basically trying to catch up to the facilities and provide services of the past. The Yukon Hospital Corporation, through its due diligence, has indicated that those acute facilities are necessary. They can operate those facilities and they can administrate those processes.

We, through Health and Social Services, are providing health services to all Yukoners and we are looking at operating facilities adjacent to both of those facilities in order to take advantage of these facilities and reduce our costs within those

regions and provide a one-stop facility in those specific regions. We intend to operate both those facilities similar to that.

In addition, Mr. Speaker, for the Dawson facilities we are also looking at putting in phase 2 in Dawson City, which will be the new addition on McDonald Lodge — again, a very important facility and very needed — and then we'll be able to utilize the Dawson hospital and ensure that we can maximize the facility and get the best value for mechanical, electrical and dual services for that facility, as well as the new McDonald Lodge.

Question re: Takhini elk herd

Mr. Cathers: Thanks to the efforts of the Member for Whitehorse West when she was the Minister of Environment and good work by the Department of Environment staff, the Yukon allowed the very first permit hunt of wild elk this past fall and winter. My question for the Minister of Environment is this: what was the target number of elk to be harvested through this permit hunt and how many were actually shot by Yukon hunters?

Hon. Mr. Edzerza: I thank the member opposite for that question. The elk hunt was not — the limit was not reached that the department hoped would be reached. There is an active review going on right now as to what changes can be made to improve that area.

Mr. Cathers: The elk hunt is in its first year and the target for the hunt was not met. The wild elk continue to cause property damage and the herd remains well above the 100-animal herd size. The 1990 report done by department biologists said it should be kept at to prevent the elk from causing property damage and impact on the habitat of other animals.

The permit hunt was certainly a step in the right direction and has indeed made some difference, but it is not enough. If an elk is damaging someone's property or even threatening their life, they are not allowed to shoot that elk. If a carnivore attacks, you can defend yourself, but sections 86 and 87 of the *Wildlife Act* prevent you from defending your property or even your life if an elk is threatening it.

I ask the government to start the process of amending the act to remove these prohibitions and reflect the standard currently used when a carnivore threatens life or property.

Has the Minister of Environment begun the process of moving forward an amendment to sections 86 and 87 of the *Wildlife Act* and, if not, will he agree to do so?

Hon. Mr. Edzerza: For the record, I'd like to state that the choice of where one lives has to be taken into consideration here.

If one chooses to live in country residential, one has to expect that, at some point in time, you may have animals coming through your yard or into your yard — that is number one. As to whether there are any amendments being made at this point in time, the answer is no.

Mr. Cathers: What I would point out to the Minister of Environment is that this is not an indigenous herd. The animals were imported by government. In 1990, department biologists said that there were 30 to 35 animals in the herd and they recommended that the herd be brought up to a size of 100

animals but not allowed to grow beyond that. The herd has grown beyond that.

I would encourage the minister to reconsider his answer about the *Wildlife Act* but my next question is for the Minister of Energy, Mines and Resources.

Two programs were created to mitigate and prevent property damage from the wild elk — the wildlife damage prevention program and wildlife damage compensation program. \$60,000 was budgeted for this program the first year; it was not spent. \$20,000 is budgeted this year and that does not come close to covering the cost of damage to a single property in some cases. Due to the restrictions of the program, it does not provide more coverage. Two changes were proposed in 2009 — my question for the minister is this: when will the changes be implemented?

Hon. Mr. Edzerza: I want to make it very clear that the department is following the elk management plan. There was, as the member stated, a permit hunt that was conducted. Unfortunately, the number of animals that were anticipated was not reached, for a number of reasons. Some people just thought maybe it wasn't a good idea to hunt within an area where there could be people living and those were areas that the member is talking about that he requested be targeted. It does increase the difficulty of being able to do management control in a populated area.

The department will continue to work with the RRCs and interested parties and the First Nations to try to continue on with addressing this issue. The member is right; the elk were brought in and it is something that's not going to be totally controllable within a very short period of time, like one or two winters.

Question re: Peel watershed land use plan

Mr. Fairclough: The Peel land use planning commission — after years of studying the input from Yukoners — has recommended significant environmental protection. This is in line with what many Yukoners feel ought to be done in the area, and the Liberal caucus agrees in principle with the broad strokes of the plan.

Here are the facts: the Yukon government holds about 97 percent of the land in the Peel. The planning commission has recommended significant protection. The Environment minister holds responsibility for advocating for the environment in Yukon government policy. Here's one more fact: the Environment minister refuses to do anything for the Peel.

Why doesn't the minister think it's his responsibility to stand up for protecting the Peel?

Hon. Mr. Rouble: The Department of Energy, Mines and Resources has the responsibility within Government of Yukon to address the issue of land planning. The Department of Energy, Mines and Resources, as all government departments, has a strong interest in advocating for the environment, of advocating for the interests of Yukoners and, Mr. Speaker, we'll continue to do that.

The member opposite has asked me several times for updates on the Peel watershed land planning process. I have provided that information to him. I provided the documentation — the letter of understanding — signed between the government

and the affected First Nations, and I've also tabled for him the plan and the approach that the Government of Yukon and the First Nation orders of government will be following on developing the plan.

Mr. Fairclough: Why is the Minister of Environment silent? Yesterday the chiefs of two First Nations sent an open letter to the minister. They chided him for his "ambiguous and potentially misleading statement" on First Nations' desire for the Peel and said that it is "not well-received by our governments."

The minister crossed the line when he said what First Nations wanted in the Peel. They are not happy about it and, in the meantime, he isn't allowed to say what his own government will do there. Why did the minister presume to speak for other governments when he's not even allowed to speak for his own?

Hon. Mr. Edzerza: For the record, I would like to state that what I did say is I know that even the First Nations probably have not ruled out any kind of economic development. The letter from the chiefs reconfirmed that when they said "our First Nations are working actively with the non-renewable sector, as shown by our engagement with mining and exploration companies." I rest my case.

Mr. Fairclough: The Environment minister is finally on his feet. There are four First Nations that are a party to the Peel land use planning process.

Two of the four leaders found the minister's comments so out of line that they had to be publicly refuted. They criticized the minister and told him not to imply that his words speak for affected First Nations. They also invited the Environment minister to stand up with them for protection in the Peel, offering, and I quote: "We, the First Nations, would greatly appreciate your support to protect this portion of our traditional lands." Will the minister be taking them up on their offer to stand with them in support of the Peel, or is he taking his direction from his newly rediscovered Yukon Party colleagues?

Hon. Mr. Rouble: Mr. Speaker, this government will certainly work with affected First Nations and follow the self-government agreement and the appropriate chapters in there. It is further being highlighted the importance of the governments working together to address this matter.

Mr. Speaker, the Government of Yukon has made it a priority to provide planning in this area. We are working with the land use planning commissions. We have received the plans and now a letter of understanding has been signed on a government-to-government basis between the Government of Yukon and the affected First Nations. The process for how we all work together to resolve these issues has been established and is being implemented. The Government of Yukon certainly is very actively working with other orders of government and other people who have an interest in this area.

Question re: Peel watershed land use plan

Mr. Fairclough: The Environment minister usually lets the Energy, Mines and Resources minister answer questions on the Peel; however, a few weeks ago he did say in the House, and I quote: "I know that even First Nations have probably not ruled out any kind of economic development activities that might be available to them in the region."

He has since been publicly corrected by two of those First Nations who say, "Protection of the headwaters of the Peel and the entire Peel watershed is of paramount importance to us. We are not interested in seeing further development of non-renewable industries or roads in the Peel watershed."

Why did the minister think he could speak on behalf of First Nations?

Hon. Mr. Edzerza: It's quite amazing, really, to hear how the opposition can misconstrue messages that are sent around between First Nations and this government. I already stated for the record what I had said publicly on the floor of this Legislative Assembly, and the First Nations made their point.

The good thing about everything is that this government does honour agreements with First Nations and this government will continue to honour First Nations working together to achieve a common goal.

The Peel watershed is one of those initiatives that the government is working on with the First Nations, and I would be the first one to publicly apologize to any chief or any First Nation if I said something that was totally out of line that hurt them so badly that it was a public embarrassment.

Mr. Fairclough: Well, that's quite the statement, Mr. Speaker. The chiefs were very clear to that minister. Now, the Premier interfered politically in the middle of the Peel planning process. He made an irate call to a senior official in the Department of Environment and told him to gut the submission to the Peel planning commission. The Premier made an executive decision that the commission didn't deserve the Environment's full report and the minister at the time didn't do anything to stand up for officials or for her department or her responsibility to the environment. In their letter to the current minister, two chiefs reaffirmed the commitment to the Peel Watershed Planning Commission's process.

Does the minister share the First Nations' faith in the planning process or does he side with the Premier and his political interference?

Hon. Mr. Rouble: This government stands behind the planning process that has been established in the letter of understanding with the affected Yukon First Nations. We obviously have recognized that there is an obligation under the self-government agreements to work through many of these issues, to work on a government-to-government basis. I think everyone in here recognizes that, and that has once again been reaffirmed by a recent letter that there was a desire to work on a government-to-government basis and to address our responsibilities under the self-government agreement.

The Government of Yukon is firmly committed to the process that was established and agreed to and we will continue to follow it and implement it.

Mr. Fairclough: This government has shown no respect for the Peel planning process. The Premier called an Environment official and told him to gut the submission to the commission. The current Environment minister presumes to tell First Nations not to rule out industrial development, when they have already made their commitment to protection clear.

This government thinks it can decide what Environment officials should say, what the commission deserves to hear and what First Nations want for the Peel. When will the Environment minister start listening to Yukoners on the Peel instead of his Yukon Party colleagues?

Hon. Mr. Edzerza: I find it somewhat disturbing that the Official Opposition chooses to make a political football out of something so serious as this, as a working relationship from government-to-government, the honouring of chapter 11 in the *Umbrella Final Agreement* — those are serious things; this government will take those things seriously and will address them from a serious approach.

Speaker's statement

Speaker: Before calling Question Period to an end, honourable members, the Chair is somewhat disturbed the way the debate has been taking place in the last 10 minutes here. One side says “misleading”, the other side says “misconstrue” — I have firm direction from three party leaders that they’ve reached a consensus that all members of their respective caucuses will rededicate themselves to their commitment to raise the level of order and decorum in this House.

Members, that’s not doing that.

The time for Question Period has now elapsed.

Notice of government private members' business

Hon. Ms. Taylor: Pursuant to Standing Order 14.2(7), I would like to inform the House that the government private member does not wish to identify any items to be called on Wednesday, April 21, 2010, under the heading of government private members' business.

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

ORDERS OF THE DAY

Hon. Ms. Taylor: 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. 18, *Third Appropriation Act, 2009-10*. We were in Vote 2, Executive Council Office. 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. 18 — *Third Appropriation Act, 2009-10* — continued

Chair: The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 2, Executive Council Office. Mr. Fentie, you have about 12 minutes left.

Executive Council Office — *continued*

Hon. Mr. Fentie: If I recall, when we adjourned debate the other day, we were discussing the issue around the FTA and the process that we were involved in. I was presenting to the Leader of the Official Opposition some of the areas that we had jointly worked on with First Nations such as the actual nine-year review itself. By the way, Mr. Chair, it is very, very comprehensive in detail and provides some great insights into the many challenges of the implementation of self-government and the agreements here but also the gross expenditure base work that the Yukon government contributed a great deal on so that there was a better complement to a business case as presented to Canada.

Finally, the fact that at the eleventh hour, the federal Finance department, in getting engaged in the matter, has chosen to take a different stand on what is known as a clawback of own-source revenues. Yukon government disagrees with that position and will continue to support the seven Yukon self-governing First Nations in this area. We believe that the federal government should emphasize more the need to provide incentives in our relationships versus disincentives. Clawbacks that the federal Finance presented would be defined as a disincentive for First Nations. Secondly, it is not in keeping with the intent of the agreements that the federal government has signed on to, and our agreements are actually unique in comparison to other agreements in the country.

So I hope that has shed some light on the issue for the member opposite, and we also touched on a number of the other areas that the department is continuing to work on, as it always does, and that includes some of the changes in the spending authority that are being requested in this supplementary. I endeavour to present the information on those areas of change — in some places decreases, in other places some nominal increases.

Mr. Mitchell: I do thank the Premier for those explanations. Really, the spending in this department is pretty clear, so we won't have a lot of questions for the Premier on the supplementary budget.

I would ask one further question, though. I always ask it as a matter of course, just to get a progress report and, of course, that is: can the Premier provide us with an update, first of all, on the status of the Fitch report and anything that he's at liberty to discuss with us regarding progress on pursuing a settlement with the three First Nations that don't have land claim and final agreements?

Also, can the minister provide any update from his meetings with the DIAND minister, Minister Strahl, or for that matter, the Prime Minister, on the possibility of re-engagement by Canada — developing a new mandate? The last time I asked

this question, the Premier pointed out that there is no mandate. Since it has been some months since we've asked it, I would ask if he could provide us with any information on the possibility of Canada establishing a new mandate, and also about the discussions he may have had with the three First Nations, in terms of each First Nation and its possible interest in there being a resumption of negotiations.

Hon. Mr. Fentie: Mr. Chair, on the matter of the Fitch report itself — and I can provide further information, but I believe it is now a public report. The federal government has released the Fitch report.

As far as the status of where we are at right now with the three First Nations, as that relates to the federal government, I believe there is some discussion around the three First Nations presenting some ideas and options on how we might deal with such things as land set aside, which is small parcels, that would indicate, I think, that there is a willingness to discuss some things here in the absence of a claim.

With respect to a mandate itself, no, there is still no federal mandate to negotiate. I think it's fair to say that there's not a lot of interest with the three remaining First Nations at this time to negotiate. So we're at that stage where some discussions are happening. The Fitch report is now a public document and there's no indication — at least in the immediate future — that the federal government will be pursuing a new mandate to conclude the land claims.

Now, I want to be clear here. This government's position is that the federal government should provide a new mandate and should conclude the land claims in the Yukon. There are three of 14 First Nations remaining, and we want to make sure that we have a consistent situation with treaties here in the Yukon. We would hope that the federal government recognizes the value of the Yukon treaties and the self-government agreements. Much work has been done in presenting that to them, and our expectation is that at some point the federal government will proceed and conclude them.

Mr. Mitchell: For the record, we in the Official Opposition concur with the position that the Premier has just expressed as the position of the Yukon government and we do support the Premier in that. I am going to ask this question very carefully and I hope the Premier listens carefully to what I am asking. In the absence of agreements with the remaining three First Nations, particularly with the Kaska in southeast Yukon, a couple of months ago it was announced that a number of lawsuits were filed crossing several jurisdictions. I am not asking the Premier to respond to the issue of the lawsuits. There are reasons why, of course, he would not necessarily be at liberty to do that. What I am asking is, in the absence of final agreements or even of any strong indication that the First Nations are eager to pursue that process at this point in time, can the Premier provide us with any explanation of how his government is going to seek some form of certainty so that potential resource development, potential other developments, the land use planning and so forth, can move forward in the absence of the certainty of a treaty?

Early in the Premier's first mandate, there was a bilateral agreement. Is there anything else that the Premier is working

on to provide some certainty in an area that is both so large and resource-rich as southeast Yukon?

Hon. Mr. Fentie: First let me address the issue of bilateral. The instrument, at the time we brought it forward, was set up in a manner that, first off, was sunsetted, but it included a very important element, and that was that the parties would make best efforts to conclude the land claim. That did not take place; therefore, the sunset clause was invoked and that ended.

We as a government still have the obligation to consult and accommodate. The government does that on a regular basis.

When the member talks about certainty, as a government we're working on what would be a consultation protocol to better clarify that process. That's an element of certainty, of course, but I would also remind everyone in the House that one should understand that the Kaska First Nations — whether it is the Ross River Dena Council and/or the Liard First Nation, specific to internal in the Yukon — are working extensively with government and with the corporate community to advance development. There are challenges of course, but I think we have to emphasize and accentuate the fact that there are positives advancing for mutual benefit for all.

One of the shining examples of that, of course, is the Wolverine project, where there's a significant relationship that has been developed and continues to evolve there, and there's much more going on ultimately because of the tremendous opportunity that exists in southeast Yukon. But there's more to it. There is the work on the forest legislation, the forest stewardship council and all that work. So there has been involvement there and we will continue to strive to ensure certainty is part of the equation. Of course, the most recent issue is the development of the protocol itself.

Chair: Is there any further general debate? Seeing none, we will proceed line by line in Vote 2.

Mr. Mitchell: Mr. Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 2, Executive Council Office, cleared or carried

Chair: Mr. Mitchell has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 2, Executive Council Office, cleared or carried, as required. Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

**On Operation and Maintenance Expenditures
Total Operation and Maintenance Expenditures under-
expenditure in the amount of \$2,927,000 cleared
Executive Council Office agreed to**

Chair: Committee of the Whole will now move to the Department of Education. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 3, Department of Education. We will now proceed with general debate.

Department of Education

Hon. Mr. Rouble: Mr. Chair, I am pleased to rise in the House today to speak to the Department of Education's *Supplementary Estimates No. 2*, a budget for 2009-10. Under the 2009-10 *Supplementary Estimates No. 2* budget, the Department of Education continues to focus on creating a responsive education system, enhancing transitions, developing and maintaining partnerships and our work in labour market developments.

Mr. Chair, the total operation and maintenance *Supplementary Estimates No. 2* budget for 2009-10 is \$733,000. \$1 million is requested for additional support for the labour market development agreement. Mr. Chair, my colleagues will recall that the Yukon has accepted the administrative responsibility for two federal programs — employment benefits and support measures — which are administered under part 2 of the *Employment Insurance Act* of Canada.

The labour market development agreement reflects the Yukon government's work to support education, training and skills development for Yukoners, so Yukoners may respond to opportunities to meet Yukon's labour market needs.

Mr. Chair, the transfer of these two programs became effective February 1, 2010, and with the additional funding of \$1 million, the total funding for 2009-10 is \$1,750,000. The Department of Education is also requesting a further \$95,000 in northern strategy funding to be transferred from the Executive Council Office.

This will cover a number of issues, Mr. Chair. The funding will cover \$75,000 for the Four Winds — family and community literacy project. This project will provide the Yukon Literacy Coalition with funding for further development and operations of a culturally inclusive family literacy centre, and helps to meet family, community and workplace literacy needs.

Mr. Chair, there is \$20,000 for a land-based, experiential education project in Old Crow. This project will provide funding to the Vuntut Gwitchin First Nation for an experiential model for kindergarten to grade 9 that will be unique in Yukon, with an emphasis on First Nation culture, while meeting the specific educational and academic needs using a collaborative process.

I look forward to hearing from the Member for Vuntut Gwitchin on his thoughts and comments on this issue.

From the initial reports I've heard so far, it's proving to be a very successful opportunity that is engaging both the students and the teachers alike.

The department is also requesting a transfer of \$150,000 to Economic Development in support of the Yukon Cold Climate Innovation Centre. The transfer does not affect the total level of funding for the Research Centre of Excellence.

Funding that was previously approved for a project under the northern strategy, the Revitalizing Culture program, is not

required for the current fiscal year and has been deferred to 2010-11, when this project will be completed.

The total capital supplementary for *Supplementary Estimates No. 2* for 2009-10 is \$34,000. Under Advanced Education, we are requesting \$34,000 for systems development and for the purchase of work stations that are required to support the delivery of the employment benefits and support measures program, which have been transferred from Canada. This is 100-percent recoverable.

Education and training are vital to creating and maintaining a strong, diverse economy for the benefit of all Yukoners. This government's investment in education is proof of our commitment to improving quality of life for all Yukoners.

I look forward to engaging members opposite in debate on this issue and also responding to additional challenges they have put forward.

Mr. Fairclough: I don't have many questions in this supplementary budget that has been put before us. The government is asking us to approve a small amount of additional spending in the Department of Education. Although we do have a lot of questions in the main budget and this department, I will reserve my questions for that time. The minister said that in Advanced Education there was \$1 million that went toward the labour market agreement and that this is 100-percent recoverable from Canada. I would assume that because it is in operation and maintenance this will be ongoing into budgets to come.

I would also like the minister to explain a little clearer what the reduction in public schools is for. It's not a huge amount of money, but it's \$117,000; this is a supplementary budget. If the minister could answer that — I'm addressing a line item here and it's really not necessary to go through the whole thing because there are not that many lines to this at all, only a few. Could the minister answer that question about the public schools and the reduction that we see there? We also have \$150,000 in Yukon College as a reduction for the operation and maintenance. In brief, those are my questions to the minister in this supplementary budget in the Department of Education.

Hon. Mr. Rouble: Mr. Chair, I'm always excited and eager to enter into debate with the member opposite about education. I know he's often hungry like a wolf to enter into debate on education and to engage in the matters at hand.

Mr. Speaker, the member asked a question regarding the decrease in public schools. There are really three different transactions here. One is an increase in funding for the northern strategy projects. This includes the Four Winds family and community literacy project for \$75,000. This project was approved under the northern strategy initiative and is for the further development and operation of a culturally inclusive family literacy centre that helps to meet family, community and workplace literacy needs across the Yukon. The purpose of this centre is to assist children, adults, elders, caregivers and youth to increase their literacy and essential skills.

The member might recall there was a recent opening at the Canada Games Centre for this centre. Really, it was an opportunity for the Government of Yukon to work with some of the

partners in education — this being the Yukon Literacy Coalition. The centre has been established at the Canada Games Centre and it is done also in partnership with organization such as the City of Whitehorse. It really has been neat to see the growth and development of this centre. I am sure all members know from walking about the Canada Games Centre in the after school or evening hours, the number of students there.

There are often people who are there right after school. You often see them working on their homework, sitting in the halls, leaning up against the wall or working at one of the cafeteria tables. This offers an opportunity where they'll have space to go to do some quiet work. I also believe they have computer access and they have other programs there for youth to help engage them in literacy issues.

Additionally, the changes in Public Schools budget includes \$20,000 for the land-based experiential education project. This project was also approved under the northern strategy initiative and will provide Vuntut Gwitchin First Nation an experiential model for kindergarten to grade 9 that will be unique in Yukon, with an emphasis on First Nation culture while meeting the specific educational needs using a collaborative process. A major component of the project is to develop and implement field trips on and off the land, and include activities that combine cultural competency along with western educational learning outcomes.

This is as a direct result of the education reform project. This is a direct result of the relationships that have been established between the Government of Yukon and Yukon First Nations. Also, this is tapping into some of the resources provided by the federal government in order to augment or supplement some of the education programs going on in the territory. It's exciting to see initiatives like this where we are working with other orders of government and this one in particular, working with the Vuntut Gwitchin First Nation, to provide an educational situation in a different type of a setting. We will still continue to strive to meet — as articulated to me by the Chief of the Vuntut Gwitchin First Nation — academic excellence in a culturally appropriate setting.

It is a mixture of the traditional western educational learning outcomes, seeing the skills develop in areas of literacy, critical thinking, communications, problem solving, research — the very same objectives we strive for in the school systems, but done in a different community-based setting.

Also, the main cause of the reduction in this line item is the reduction of \$212,000 for the Revitalizing Culture program.

Unfortunately, Mr. Chair, this program has experienced some delays since it was initially approved and we had expected this project would be completed in late fall of 2010, but the funding has been deferred to 2010-11.

The member also asked some questions regarding the transfers from the federal government regarding the LMA and the LMDA agreements. In July 2009, the Government of Yukon signed the Canada-Yukon labour market agreement — that would be the LMA. Through this agreement Yukon will receive a total of almost \$5.9 million between 2009 and 2014. The intent of the funding is to provide programming for unemployed or underemployed clients. This group of clients could

include aboriginal people, social assistance recipients, people with disabilities, older workers, youth or immigrants.

Some of the funding for the 2009-10 fiscal year, includes the following: the Kwanlin Dun House of Learning, the education and employment program there, of over \$100,000; the youth work experience program with the Yukon Chamber of Commerce for \$300,000; work with the Department of Justice at the Whitehorse Correctional Centre on the wrangler and packer courses; the heavy equipment training program with the Department of Highways and Public Works; the kitchen helper and employability skills program that was offered with Challenge Community Vocational Alternatives; programming with Yukon Tourism Education Council; work on the high school exit survey — this is an initiative that the Government of Yukon Department of Education and Executive Council Office Bureau of Statistics are working on. Members will recall in the past that we have had a significant lack of information about what has happened to students after they leave high school; that is, after they either leave with a high school diploma or if they leave prior to graduation.

One of the things we will do is work with the Stats branch to do a longitudinal study to look at what happens to Yukon students, where they end up two, three, five and, I believe, seven years out; looking at how they participate in post-secondary education; what institutions they attend; whether they graduate or not; whether they return to Yukon; whether they continue to put their skills and accreditation to work in Yukon.

Mr. Chair, we have talked a lot about how Yukon's education system helps to prepare Yukoners for Yukon opportunities. We want to gather some significant, accurate data on this issue in order to validate the decisions that we're making and in order to form the decision-making process in the future. I think all members will be very encouraged to hear about the high school exit survey and the work that is being done in this area.

Also, the other projects in the 2009-10 fiscal year included the essential skills for food preparation in Old Crow, which I understand was a very successful program.

I think that really concludes some of the highlights of the programs. This is an exciting time for the Advanced Education branch of the Department of Education in seeing the devolution of the labour market agreement and the labour market development agreement. These are two federal programs that are now being transferred to the Government of Yukon that will increase the responsiveness with which the Government of Yukon will be able to respond to issues of underemployment, unemployment and labour market needs.

The other agreement that was transferred was the labour market development agreement. This is the LMDA. This was signed in July of 2009 and the formal transfer date of the newest administrative responsibilities was February 1, 2010. By signing this agreement, Yukon has accepted the administrative responsibility of two federal programs — employment benefits and support measures — under part 2 of the *Employment Insurance Act* of Canada.

Some of these programs include the employment assistance services with organizations such as Klondike Outreach,

Yukon Council on Disability, Watson Lake Outreach, l'Association franco-yukonnaise/ SOFA, Employment Central, Yukon Work InfoNet.

Also, Government of Yukon now becomes responsible for programs such as the self-employment small business planning program, which is provided by Dana Naye Ventures, the targeted wage subsidy, the skills development employment benefit, and the skills development apprenticeship program.

As I mentioned, Government of Yukon is very excited about the new opportunities that we will have through the devolution of these programs and we are also very encouraged by the responsiveness with which Yukon will be able to react to address our labour market needs. This is just one more example of the maturing of the Government of Yukon and becoming more responsible for the initiatives within our jurisdiction. I trust that answers the member's question.

Mr. Fairclough: There is not a lot to this department in this supplementary budget. I thank the minister for his answers and we would like to move on. Thank you.

Chair: Is there any further debate?

Seeing none we will proceed line by line on Vote 3.

On Operation and Maintenance Expenditures

On Public Schools

Public Schools underexpenditure in the amount of \$117,000 cleared

On Advanced Education

Advanced Education in the amount of \$1 million agreed to

On Yukon College

Yukon College underexpenditure in the amount of \$150,000 cleared

On Total of Other O&M Programs

Total of Other O&M Programs in the amount of nil cleared

Total Operation and Maintenance Expenditures in the amount of \$733,000 agreed to

On Capital Expenditures

On Advanced Education

On Labour Market Development Agreement — Systems Development

Labour Market Development Agreement — Systems Development in the amount of \$34,000 agreed to

On Total of Other Capital Expenditures

Total of Other Capital Expenditures in the amount of nil cleared

Total Capital Expenditures in the amount of \$34,000 agreed to

On Revenues

Revenues cleared

Department of Education agreed to

Chair: Committee of the Whole will now proceed with Department of Health and Social Services. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 15, Department of Health and Social Services.

Department of Health and Social Services

Hon. Mr. Hart: I am pleased to speak to the supplementary budget today as it pertains to the requested adjustments for Health and Social Services for the year just ending.

The department faced a number of challenges that required borderline increased spending. In total, the department requires an additional \$11,542,000 in operation and maintenance and a reduction of capital expenditures of \$423,000.

Several non-governmental organizations required additional spending for the 2009-10 year, including the Salvation Army, Learning Disabilities Association of Yukon, Fetal Alcohol Syndrome Society of Yukon, Yukon Association for Community Living, Challenge and Line of Life for the increase of more than \$400,000.

Adult residential services also require an increase for Teegatha'Oh Zheh to respond to the program expansions that now include not only residential services but a full range of support services. Most prominent of this new programming is a successful day program that provides activities and community involvement for persons with disabilities for whom employment will never be an option.

In addition, FASSY requires additional funding of \$200,000 specifically for their "With a Little Help from My Friends" program, which focuses on providing one-to-one support for up to 25 high-risk women with fetal alcohol syndrome disorder. Additional funding is included in this supplementary to respond to the increase we have seen in social assistance.

In May 2008, this government took the steps to increase the social assistance rates by 25 percent as well as to increase the earned income exemption. Based on these new rates and the increased earned income exemption, a large number of people are eligible for social assistance benefits. An additional \$2.2 million is required to respond to a 22-percent increase in the monthly average number of cases. Our analysis indicates that 44 percent of these new cases are made up of clients who are new to the Yukon.

Our analysis also indicates that the cost per case has increased slightly by approximately six percent. Increases in social assistance are always an expected reaction to global economic downturns, and other jurisdictions experience similar trends as the safety net program does what it's designed to do during challenging times.

The original five-year funding for THAF, which ended March 31, 2010, requires approval of the balance of nearly \$4 million for a variety of projects. Some of the most notable initiatives worth highlighting include the social inclusion and anti-poverty strategy. The department is developing a renewable, publicly reported, cross-governmental strategy to reduce social exclusion and poverty using an evidence-based approach built

on universality. It will recognize social indicators of well-being.

Wellness and aging strategy — the Department of Health and Social Services is committed to the development of an overarching wellness strategy. The end product will be a healthy Yukon and will ultimately lower health care and social services costs. The aging and wellness strategy is an initiative that falls under the broad umbrella of the wellness strategy. Its intent is to improve the lives of elders and seniors in the Yukon using a multi-sector approach.

Continuing care accreditation — Accreditation Canada was invited by the Yukon government to provide an independent peer review of the quality of its continuing care services based on national standards of excellence. The areas surveyed were Copper Ridge Place, Macaulay Lodge, McDonald Lodge, the palliative care program and the home care program. Information was gathered through observation and discussions with community stakeholders, clients, family members and staff. Accreditation experts indicated that the heart of continuing care is the compassion and engagement of staff. More than 700 criteria were reviewed and the branch scored a remarkable 94 percent.

Children's mental health study — in order to improve our children's mental health and health of youth at risk, the Department of Health and Social Services investigated developmental assets. Studies done in the United States consistently show that the more of these developmental assets a young person has, the less likely they are to engage in high-risk behaviours and the more likely they are to thrive. Yukon engaged a consultant to teach professionals and communities about developmental assets.

Mental health complex cases — housing. Individuals with complex mental health problems in conflict with the law who also struggle with substance abuse, homelessness and histories of trauma and self-neglect are provided with supervised residency under the direction of the Yukon Review Board. This care is provided in partnership with a non-governmental organization.

Cancer care navigator — the cancer care navigator guides people with cancer and their families through the physical, emotional and financial challenges that come with a cancer diagnosis. The navigator helps by: preparing patients for cancer treatments; providing information about who will be involved in a treatment and relating what to expect from treatment in Yukon or out of the territory; explaining diagnostic tests and treatments; recommending contacts and counselling, home care and other support services; providing information and contacts related to medical travel benefits and coverage; and providing resources, including reading materials, videos, CDs, DVDs, Internet sites, cancer information and alliance.

Mentorship has been an integral part of the territorial health access fund and has been a help to put nursing into the process.

On the revenue and recovery side of the equation, the additional expenditures noted above are offset by a normal amount of O&M capital. These include \$968 for costs associated with the children welfare program and \$25 associated with the home

care recoveries. There is \$294 is for additional capital costs and recovery associated with assisted projects.

Mr. Mitchell: I thank the minister for his opening remarks. First of all, let me welcome the officials and thank the officials present as well as the entire department for the good work they do. This department — when we look at the mains from last year, Mr. Chair, between O&M and capital, there was over a quarter of a billion dollars expended — virtually a quarter of the budget for the Yukon government. I guess that falls into the classification of being both a challenge and an opportunity — an opportunity to do a lot of good things with the money spent and a challenge of how to do as much as people might hope for or expect.

I'd also like to thank all the front-line workers, the community nurses, the nurses in the Whitehorse General Hospital, the nurses who work in the Watson Lake hospital, in the nursing station in Dawson and in every part of the Yukon — the doctors, right up to the chief medical officer of health who is on the radio weekly, if not more often, telling us what's going on. Just this morning I learned I have to think about getting inoculated against shingles before I have too many more birthdays. I see the minister smiling, because we're pretty close to being in the same category. A great deal of work is done and it is appreciated by Yukoners.

The \$11,542,000 requested in this O&M portion of Vote 15, Department of Health and Social Services, is the lion's share of the entire supplementary budget of \$12,954,000 — and that's not a surprise, based on what we've just heard. This \$11.5-million increase in spending over the mains, I guess one could say is somewhat normal over the course of a year. Does the minister agree that's more or less a normal occurrence, based on the sorts of things we needed the money for?

Hon. Mr. Hart: With regard to that question, approximately \$4 million of the monies that are actually related to the THAF funding are in the additional monies identified in the supplementary budget.

Mr. Mitchell: The minister has very good officials. Looking at the spending trajectory over the last few years, in the 2008-09 actuals, we spent \$228 million in O&M in Health.

In 2009-10, we estimated \$229.5 million, but we spent, with this budget, \$248,751,000. It does beg the question — the estimate for the budget for the coming year, which we will soon be debating, of some \$230,744,000.

I recognize that we are discussing the supplementary budget here in front of us, but the Finance minister always tells us we have to look at all of these as a whole, with all the adjustments and so forth. Does the minister feel that we will not need to be looking for more money in the coming year? Because it's a reduction in the estimates for next year versus what we are looking at in this supplementary budget having been spent this year.

Hon. Mr. Hart: All of our projections are very close to other jurisdictions right across Canada. I will advise him that there will be a supplementary later on, once the funding does come through from Ottawa, which isn't expected until June sometime. So, yes, there will be a supplement to follow up on that process later on in the fall for additional funding.

Mr. Mitchell: I'm going to take it, from the way the minister just responded, that the expectation is that there will be requests for more funds when there is additional revenue that is being transferred from Ottawa, so that it will be more of a matching request. Is that what the minister meant to say?

Hon. Mr. Hart: Yes.

Mr. Mitchell: Last Thursday, when the Hospital Corporation was in — the chair and the CEO of the Hospital Corporation — there was some discussion, both by the Member for Mount Lorne and me about reports and studies that have been done or may have been done regarding the health care facilities in Watson Lake and Dawson — needs assessment studies, facility studies. There was reference made to studies — I think by RPG — on how to make best use of the half-completed shell of what started out as the multi-level health care facility in Watson and is now going to be incorporated into the new hospital.

I think the minister himself, earlier today during Question Period, made some reference to the fact that it would be easier to work on the design of the new facility in Dawson compared to Watson because they were starting with a blank slate, as opposed to having to try and make best use of a pre-existing structure.

I will ask the minister the same thing that I asked of the chair because some of these reports have been commissioned by the chair of the Hospital Corporation, so I have to ask the chair for them. Other reports, I believe, would have been commissioned by the Health department. Would the minister make all of these reports and studies publicly available, so that the opposition can see them, as well as the public? That would be the various needs assessment studies, facility studies, and the study of the existing shell in Watson Lake to see what changes need to be made in order to convert it into a hospital and so forth.

Hon. Mr. Hart: For the member opposite, I believe that the witnesses on Thursday past provided him with the information. I also recall that they indicated they would provide the additional reports on the request from the Member for Mount Lorne with regard to those studies.

All the other studies with regard to the makeup of the Watson Lake facility and the work on that are out there. They are public, and, from what I understand, they have been ATIPP'd already. We are making all the information available with regard to the Watson Lake and Dawson facilities.

Mr. Mitchell: Just for clarification, I do recall the promises made by the chair of the corporation to make studies available, but we're a little uncertain whether the government, prior to this decision — which was only finalized on April 1 of this year — to transfer the Watson Lake facility and the future Dawson facility — those hospitals — to be under the auspices of the Yukon Hospital Corporation. Prior to that being done, there was this year of transition when the Hospital Corporation was considering taking on those responsibilities, but had not yet accepted the responsibility.

What I'm getting at is, prior to that period of time — prior to that transition period — any studies that the Department of Health and Social Services may have commissioned or work in-house, for that matter, regarding the decision on what kind

of health care facility would best service the residents of the Watson Lake and southeast Yukon area and the north Yukon — Klondike/Dawson area.

Those would be studies that we may not have in our possession. We're not certain if these studies were in fact undertaken but perhaps the minister can tell us if there were needs assessment studies undertaken, and if so, will he provide them?

Hon. Mr. Hart: With regard to the facilities in Dawson City, for the member opposite, we have been stating — I think he has brought it up in Question Period several times — we had been looking at replacing the health unit in Dawson for a number of years and that is something that is based on demand, based on the requirements for that facility. As such, when we asked the Hospital Corporation to look at entertaining the transfer of the Watson Lake facility, we asked them to look at entertaining the Dawson City facility at the same time. A substantial amount of work was done by the Hospital Corporation with regard to the requirements. They brought in their experts to do an assessment.

They brought in the experts who are very familiar with hospitals and their operations, and these individuals have a very good history of experience for these types of facilities. As such, they provided the Hospital Corporation and its board of directors with the information required for them to make their assessment with regard to taking over the Watson Lake facility.

In addition, we on the government side did a substantial amount of work with regard to staff pensions and looking at providing basically a job for each and every individual in Watson Lake with the Yukon government, because we have to provide a position for each and every person if they wanted to stay with the Yukon government. So a substantial amount of work was done on our side with regard to that. A substantial amount of work was done by the Hospital Corporation, and it was done in conjunction with the staff, the citizens of Watson Lake, the unions involved. I can say that the final day was provided, I believe, on February 10 when the employees had to make up their minds with regard to which position they would like to take.

I think the chair provided the numbers on those staying with the Yukon government and those going over to the Hospital Corporation. Again, that decision, that information was provided to the board, and thereupon they based their information to go forward with regard to the transfer of the Watson Lake facility.

Mr. Mitchell: I am going to apologize to the minister because I clearly have not been making myself clear enough, based on the responses. If we go back in time to 2004-05, I think it was, when the initial two multi-level health care facilities were in a budget speech that the Premier gave, costing at the time — I think the line in the speech made reference to, and this is a paraphrase from *Hansard* because I don't have it in front me: we will spend \$10.6 million to build two multi-level health care facilities, one in Watson Lake and one in Dawson.

When that initial budget speech was given — actually, I do have it and, it says, "In keeping with our government's election commitments, planning work for multi-level care facilities in Dawson City and Watson Lake will continue with an additional

\$600,000 planned for each facility as we proceed with the design stage in 2004-2005.

“\$10.6 million is planned in 2005-2006 for the construction of the two multi-level care facilities, one in Dawson City and the other in Watson Lake.”

So when these were first being announced, they were described as multi-level health care facilities. The former Health minister and now mayor, once again mayor, of Dawson City, the former Member for Klondike, was quite adamant on this being the need for the community at the time. Over time, this was reassessed and the project changed over time. The project in Dawson never got off the ground, although it was planned; the project in Watson did get off the ground and it resulted in what the chair of the Hospital Corporation referred to last Thursday as the “half-completed shell.”

The minister earlier today made reference to having to deal with an older or existing facility. Well, the existing facility is, in a sense, a new facility except it has never been in use. It's the facility the government built.

At some point in time before the Hospital Corporation became involved, the decision was made, presumably by the Department of Health and Social Services, to instead build new hospitals. The Premier, sometime before the Hospital Corporation's involvement began, announced that there would be a replacement for the cottage hospital in Watson Lake, but it would be a much more elaborate kind of facility. I believe in response to a question in this House his response was — in response to what would be spent, he said, “Whatever it takes.” That's what his government would spend on building a new hospital in Watson Lake, which was then being projected at some \$25 million. What I'm asking for is the studies, consultations, the work that was done leading to that decision, not the decision to then transfer responsibility to the Hospital Corporation.

Hon. Mr. Hart: With regard to the member opposite's question, we're touching base in 2004-05 with regard to the Watson Lake facility. I think what happened with regard to the Watson Lake hospital is that they were originally looking at a multi-care facility in Watson Lake, but it became apparent that, after reviewing the hospital in Watson Lake, there were some deficiencies in the hospital that had to be addressed.

There were roof repairs; there were all kinds of issues with regard to the interior of the facility that had to be looked at and changed in order to provide, again, good care with regard to the citizens of Watson Lake. As such, the decision was made to look at having a new hospital built to replace the existing hospital, which was built several years earlier.

I have just been advised that in order to bring the entire facility up to code, they would have to basically build a new hospital. In other words, you would have to build way more than the 25 percent that is required in order to bring it up to code. As such, it was felt that it was necessary to look at a new hospital, so they were looking at the facility that was going to be a multi-continuing-care facility.

After that, several studies were done with regard to the shell so that it could be utilized as a hospital. There were contracts let out. There was information let — architectural infor-

mation. There was an engineering study that was done on the facility to ensure whether or not the Watson Lake facility could actually have a hospital in that unit, so that work was completed. The result of that work indicated that some work had to be done on the shell in order to bring it up to a status that would allow a hospital to be built within the facility. In addition to that, Mr. Chair, the corporation hired a company to ensure that the facility could actually accommodate a hospital inside it once the engineering work was completed on the building itself. After the completion of that work, it was confirmed that once the additional work was done on the seismic work as well as dealing with some structural information on the existing shell, that indeed the facility could accommodate a hospital under the shell that is there.

The Hospital Corporation looked at that. It was one of the very critical decisions that had to be looked at and it was one of the first hurdles that we had to overcome in order for the Hospital Corporation to look at assuming management of the Watson Lake facility.

From there, as I stated earlier, a substantial amount of work was done in consultation with all those involved, all the stakeholders, all the staff and again, the citizens of Watson Lake. I was there for several public meetings with regard to that facility. I know there were other meetings with regard to staff. There were several meetings of the Hospital Corporation and the Public Service Commission with regard to individuals moving into Watson Lake. We had a number of meetings that were held with actuaries on both sides — both the Hospital Corporation and ourselves — that required a substantial amount of time and work and effort to ensure that we could provide staff with the best possible option for them to consider prior to the magic date of February 10.

That also brings me to the supplementary budget that we have in front of us, which is \$253,000. The Yukon Hospital Corporation requires this additional funding to address the pension solvency requirement for 2009-10, based on the 2008 evaluation report.

Mr. Mitchell: I do thank the minister for that chronology which does prove helpful. I guess we can learn something from it — all of us — in terms of how government should operate. It would be a good idea when we're looking at any potential capital project to follow the steps in order. That is: (1) assess what exists; (2) determine what is needed; (3) plan for what will be built; and (4) build it on time and within budget.

If that was the process that had been followed, we wouldn't have had to go through this process the minister described of assessing a \$5-million half-completed shell and try to determine whether or not we could convert it into a portion of a hospital. I don't have it in front of me but the Auditor General, in her report on the Department of Highways and Public Works, cited this particular project as one that had gone off the rails by not following such a process.

I guess we've all learned something from it when we have to spend money to look at the engineering of buildings that we've built from scratch — brand new buildings — and try to determine what we can do with them. I am going to move on

from there, Mr. Chair, because there are other issues that I'd like to discuss.

I thank the minister for answering one question. I was going to ask what the current status of the hospital employees pension plan is. I see that the \$253,000 in the current budget is to address that. I guess I will just ask: is that the end of a multi-year process or is there more of this topping up of that pension plan that needs to be done in future budgets?

Hon. Mr. Hart: It is like any other pension fund. It all depends on what the actuary comes up with. It all depends on the public PSAB process and what is required. I can't tell the member opposite. All I can indicate to the member opposite is that it does include — as I say, based on the year for 2008, we know that some indications are that the corporation has been investing and their investments are coming back. I don't guarantee though to the member opposite that we won't be here next year with regard to a top-up for the same thing.

Mr. Mitchell: Mr. Chair, moving on to some other areas, when the officials from the Hospital Corporation were here last week, there was some discussion about the plans to reopen at least a portion of the Thomson Centre as an extended care facility. There was an announcement made that phase 1, which I think was 29 rooms — I remember the "nine", but I'm struggling with whether it was 19 or 29. I think it was 29 rooms. Nineteen?

Some Hon. Member: (Inaudible)

Mr. Mitchell: Nineteen rooms. Thank you.

It was going to cost some \$2 million, and we have been trying to determine exactly who is paying this \$2 million — whether it's coming out of the Department of Health and Social Services' budget, because we don't see it in the capital budget for the upcoming year, and we didn't see it in the budget this year — or if it will be the Hospital Corporation itself. If it is the Hospital Corporation, is this money they are going to have to borrow or will it be provided as a contribution agreement from the Department of Health and Social Services? I am wondering if the Health minister can clear this up for us and tell us where the money is coming from.

Hon. Mr. Hart: Although this is not in my *Supplementary Estimates No. 2* budget, I will address this question for the member opposite. The witnesses did indicate that the Yukon Hospital Corporation does own this facility. The Thomson Centre care facility is under their ownership. They did indicate also at that time that they would be encouraging and doing the repairs to the Thomson Centre to bring it up to code. They also indicated at that time that they didn't have the numbers right at their fingertips because they hadn't been completed as of yet. However, we are in the early process of that. We anticipate receiving numbers with regard to the renovations soon. I also believe that the chair did indicate he would provide members opposite the numbers when they became available. I believe it was the Member for Mount Lorne who asked that question. I'm sure that the chair will make that information available when it is due to the opposition members with regard to the Thomson Centre.

There was an issue with regard to a press release on looking at opening up 19 beds, which is basically one pod at the

Thomson Centre. Again, this was after the Hospital Corporation was looking at their expansion needs and their requirements. They had a consultant come in and review the Thomson Centre to see if the Thomson Centre could be utilized somewhat for any of the expansion requirements of the hospital. That was completed last summer and it was found that, indeed, the Hospital Corporation could not expand into the Thomson Centre and the recommendation from the consultant was to carry the facility on as it was intended for, which was a continuing care facility.

Once I was in receipt of that, I then talked to the CEO with regard to that and we looked at that possibility. Fortunately for me, we were also experiencing pressure with regard to getting our continuing care numbers down. We were also experiencing continuing pressure with regard to palliative care and so we were looking at trying to alleviate both those situations by assuming the one pod at the end of Thomson Centre.

So, yes, we are working with the Hospital Corporation with regard to that. They will build to suit. We will assume a lease for that facility late in this year — we are hoping to move forward with that. Again, we are also looking to reduce the waiting list and also looking at moving some of our patients from the acute care facility in the hospital itself into a continuing care facility that can accommodate them.

Mr. Mitchell: While I recognize that the Thomson Centre funding is not specifically in this supplementary budget, this is an issue that goes back many years and this minister has been on his feet many times, as has his predecessors, as we've discussed expenditures on the Thomson Centre. I think cumulatively since this government has started — because it was this government, not the Hospital Corporation, that started effecting repairs and renovations — there has been hundreds of thousands of dollars spent by the government — it might be over a million dollars to date — over the last half dozen years, working toward it. Although it is now being transferred to the Hospital Corporation, this government has had a large responsibility for it.

Indeed, when we say something's being done by the Hospital Corporation, the Hospital Corporation — according to the 2009-10 forecast, there's some \$40,909,000 forecast to be spent in the year or, if we go to this supplementary budget, there's a bit of a discrepancy that must be that, since this budget was prepared, the forecast has changed, but it was \$38,281,000 voted to date and \$38,534,000 is the revised vote, including this budget.

It's a considerable amount of money that goes to the Hospital Corporation. They don't self-fund. The bulk of their money comes in transfers and it comes from this minister's department.

Moving on to something that the chair of the corporation responded with some answers in some other areas of the Hospital Corporation that involved this minister's budget — the nurses and specialists residence that's being built across the river, with a budget of some \$17 million — in response to some questions about how that was being financed, because it was announced it was being borrowed, the chair indicated it

was being borrowed at a fixed rate of 5.23 percent, although that rate is subject to review every so many years.

The term of the loan was going to be some 17 years — I think completing in March of 2028. The reason I'm asking this minister this question is that the chair indicated that the way in which the Hospital Corporation would repay this loan was through a contribution agreement with the government — with the Department of Health — which he identified as being \$1.5 million a year. Is that agreement in place therefore for the entire term of the loan — that is, 17 years at \$1.5 million a year? Is there a letter of agreement for a contribution agreement for this entire projected term of the loan with the minister's department?

Hon. Mr. Hart: With regard to the residence facility that's being built across the way, yes, the Hospital Corporation will be looking at getting a lease arrangement with regard to the repayment of that facility. But it includes all aspects — it will include the lease arrangement with us and also with the other tenants who are going to be in that facility.

The 17 years is calibrated based on what they have worked out, but a good portion of that will represent the \$1.5 million that we have allocated for that particular facility.

Mr. Mitchell: So just to be clear, we are talking about some \$25.5 million over the term of the loan, which is what the contribution agreement with the minister would reflect.

Hon. Mr. Hart: Once we get the finalized terms with regard to the financial agreement between the Yukon Hospital Corporation, the bank and us, we will be able to give the member opposite a little bit clearer understanding.

Mr. Mitchell: Looking at some items in the budget, under capital expenditures and the Watson Lake health centre assessment, there is actually a reduction of \$59,000. Originally the voted-to-date was \$144,000 with a reduction of \$59,000, so \$85,000 was spent on it.

That's in the minister's budget, not in the Hospital Corporation's budget. For the officials, page 9-4 is what I'm looking at in the supplementary budget. So, this \$85,000 — this was spent on which study? Or was it spent internally on just assessing? Were there any reports that ensued from it?

Hon. Mr. Hart: This really resulted in an internal transfer from the Watson Lake health centre assessment and a final cost, and we just basically transferred it to another portion of the expenditures.

Mr. Mitchell: I think I'll just ask for a clarification from the minister when he says "we just basically transferred it to another portion of the expenditures." Does he mean within the Department of Health and Social Services, or is this an adjustment based on transferring some of the cost to the Hospital Corporation? Where exactly was the \$59,000 transferred to?

Hon. Mr. Hart: With regard to it, I'll try this once again for the member opposite. The \$59,000 from the Watson Lake centre assessment was because the cost was less than expected. It was transferred to community nursing.

Mr. Mitchell: Well done. The minister actually provided the information I was looking for.

Again, I'll ask a question — McDonald Lodge, for the replacement planning; similarly there's a reduction of \$41,000. I

would ask why and what is the future commitment on replacing McDonald Lodge?

Hon. Mr. Hart: Replacement planning for McDonald Lodge — basically a lapse of \$41,000 was recorded for the conceptual design for the Alexander McDonald Lodge and basically the planning was completed underbudget.

Mr. Mitchell: Another area, child welfare costs — an increase of \$968,000, I believe it is — if the minister could just explain that?

Hon. Mr. Hart: This is a request to increase it \$968,000 from the Government of Canada for recovery of costs for services provided to First Nation children in the care of the Yukon government.

Mr. Mitchell: I am sorry I didn't identify that as being in the revenue recoveries. Sorry, Mr. Chair.

Can the minister identify if we are still at a full complement of rural nurses? We were last year for the first time in a number of years.

Hon. Mr. Hart: Yes, we are in our full complement of nurses. I understand, in talking to the CEO of the hospital, that they are in the process and they are only, from what I understand, operating on three vacancies right now.

Mr. Mitchell: I don't have many more questions, although I know that the Third Party may have.

When it comes to the loans for the various facilities the Hospital Corporation is undertaking, the minister had to give the approval for the spending authority by letter in order for the Hospital Corporation to negotiate loans with the banks. Is there a maximum amount that exists within that approval process?

Hon. Mr. Hart: With regard to that, I as the minister provide the Hospital Corporation — I approve their lending authority and I provide a cap on what that authority is.

Mr. Mitchell: Could the minister give us the amount of the cap?

Hon. Mr. Hart: \$67 million.

Mr. Mitchell: So that \$67 million would cover the sort of ballpark projections of the two \$25-million hospitals and the \$17-million nurses and specialists residence across the way. That adds up neatly to \$67 million.

There has been some discussion over the last couple of days in this House about the chair's comments last week that there was perhaps some \$47 million in necessary expansion and improvements of Whitehorse General Hospital that Yukoners could expect would need to be undertaken in the coming few years in order to bring that hospital up to being able to accommodate the demand that it now faces. Obviously the Hospital Corporation is at the limit of their borrowing authorization, based on the three projects that have been previously identified. Will the minister be providing any additional authorization for the Hospital Corporation to respond to this other need that the Hospital Corporation has identified? Has the Hospital Corporation already asked the minister for that authorization?

Hon. Mr. Hart: For the member opposite, if he will recall during the witnesses' discussion with regard to last Thursday, he will remember that the chair did provide a statement indicating that the residency across the street, for exam-

ple, that's currently underway, has been on the list for many years — of the Hospital Corporation.

I will indicate to the member opposite that, yes, the Hospital Corporation has brought this issue to us, but I will also reiterate here that we will be in discussion with the Hospital Corporation on what that expansion is going to look like and when it's going to take place. I'm not about to provide anything more than that currently here in the House, except to indicate that we are working closely with the Hospital Corporation. They have brought this to our attention, and we are looking at it, and we are currently in discussions with regard to the expansion.
Mr. Mitchell: Perhaps I will just summarize what we do know. We know that the chair of the Hospital Corporation has identified that there is a need and has projected that the need might be for some \$47 million. We know that the Hospital Corporation cannot borrow money in and of itself without a letter of authorization from the minister.

We know that the Hospital Corporation currently possesses a letter of authorization that is capped at \$67 million, and we know that that \$67 million would be fully utilized for the three projects that have already been identified by the corporation and the government as projects that are going forward. So I guess we can deduce that the Hospital Corporation will require another letter of authorization from the government if they are to go ahead and proceed with improvements at the Whitehorse General Hospital, since they have no other means of funding a project of that size. Is that a correct analysis, Mr. Chair?

Hon. Mr. Hart: With regard to any extension of lending authority for the Yukon Hospital Corporation, under the act, it requires the approval of a minister.

Mr. Mitchell: A story that was in the *Yukon News* on Monday, March 22, 2010 makes reference to a dispute between the Yukon Employees Union and the Yukon Hospital Corporation — that the Yukon Employees Union is grieving the Yukon Hospital Corporation's decision to increase workers' pension contributions and that they — according to the head of the union, in January they changed the rate at which the pension deductions were being made by employees, according to the president, without consultation.

The president said, "In January they changed that without any consultation. They started collecting more money. It's about \$156 on the average year." And he went on to talk about the fact that it is part of the collective agreement. Does the amount of money that the minister previously identified have any relationship to this — the amount of the money that is going to go into the Hospital Corporation — \$253,000 for pension?

The other question would be: if the employees have started paying more, is the government contributing more as well?

Hon. Mr. Hart: What we're doing is — they are trying to make their pension fund more sustainable and, as such, we're not looking at providing any additional funding with regard to the Hospital Corporation.

I also might add that that's a collective agreement that's being worked through the process. We can't comment on anything specific with regard to that until such time as that is dealt with between the union and the Hospital Corporation.

Mr. Mitchell: Well, I don't believe that the Third Party intends to get into this debate. We could go all day, but I would like to see us resume debate in the not-too-distant future on the \$230 million of O&M spending in the main estimates and the — I think it's a much smaller amount. I think it was only \$5 million — I'm not positive of the amount in my mind — of capital in the main estimates. But I think at this time, I'd be prepared to move to line by line. I want to thank the minister for his responses and the officials for their assistance.

Chair: Any further general debate? Seeing none, we'll proceed line by line on Vote 15.

*On Operation and Maintenance Expenditures
On Policy, Planning and Administration*

Mr. Mitchell: I'll just ask for a breakdown of this, and I'm going to ask for a breakdown on most of these lines, Mr. Chair.

Hon. Mr. Hart: We're looking at a breakdown on a total amount of \$441,000 required for H1N1 programming, materials, rental space and advertising. There was also a total of \$50,000 provided from the Public Health Agency of Canada to provide support for the pandemic planning and psychological first aid in the Yukon. This funding is 100-percent recoverable from Health Canada. Also, there was a total amount of \$4,000 requested for the H1N1 personnel cost.

Policy, Planning and Administration in the amount of \$495,000 agreed to

On Social Services

Mr. Mitchell: A breakdown please, Mr. Chair.

Hon. Mr. Hart: Okay, I'm going to be up for awhile. You'll have to bear with me and so will Hansard, I guess.

We're looking at an increase of \$15,000 required for a full-time equivalent financial analyst position and a term case manager position for the social assistance program for approximately two months — this is \$15,000.

We're also looking at other increases in Alcohol and Drug Services which requested a reduction of \$33,000 in expenditures due to a detox and treatment practice project starting later than expected. Health Canada provided \$78,000 to Alcohol and Drug Services to hire a consultant to write the proposal for the drug treatment funding program. The consultant is billing a total of \$60,000; therefore, \$18,000 will not be recovered from Health Canada. There is a reallocation of \$352,000 from transfer payments to contracts required for the regular approved homes — that's \$352,000. There is a reallocation of \$469,000 from the transfer payments to contracts as required for special approved homes. There is a reallocation of \$100,000 from contracts to transfer payments as required for individual support agreements. That total is \$670,000.

We're also looking at transfer payment increases consisting of a total of \$150,000 requested for the Salvation Army emergency shelter for ongoing operational costs. A total of \$9,000 is requested for the Learning Disability Association of Yukon for ongoing operational costs.

An increase of \$292,000 is requested for the Fetal Alcohol Syndrome Society Yukon. An increase of \$28,000 is requested for the Yukon Association of Community Living for ongoing cost. A total of \$38,000 is requested by Line of Life for ongo-

ing costs. A total of \$94,000 is requested by Challenge for on-going costs. An increase \$337,000 is requested by Teegatha'Oh Zheh for increased operating costs for 2009-10. A total of \$2,011,000 is requested for the social assistance grants due to volume and grant increases. A transfer of \$352,000 from the transfer payment to contracts is required for approved homes. A transfer of \$469,000 from transfer payments to contracts is required for special approved homes. A transfer of \$100,000 from contracts to transfer payments is required for individual support agreements. The total transfer allotment increase is \$2,238,000 and a total increase for Social Services is \$2.923 million.

Chair: Is there any further debate?

**Social Services in the amount of \$2,923,000 agreed to
On Continuing Care
Continuing Care in the amount of \$2,000 agreed to
On Health Services**

Mr. Mitchell: Again, I would ask for a breakdown, since this represents a large portion of the budget.

Hon. Mr. Hart: Again, I will ask the member opposite to have a coffee and maybe think about a material girl for himself or papa don't preach. While he is thinking about that, I'll let him get into that process, because it is going to take a little while for me to get through this process.

The territorial health access fund requires \$1.46 million to complete projects for 2009-10 — the last year of the five-year funding agreement from Canada. A reallocation of \$83,000 from other allotments for personnel costs is required for the pan-territorial oral health program. Community Health requires \$3,000 for H1N1 personnel costs and Community Nursing requires \$791,000 for H1N1 personnel costs. The total personnel allotment increase is \$1,923,000.

Other increases include the territorial health access fund which requires \$101,000 to complete projects for 2009-10 — the last year of the five-year funding agreement from Canada. Community Health requires \$5,000 for H1N1 program materials. Community Health received \$15,000 for infectious disease conference travel costs. These funds are 100-percent recoverable from Health Canada. Community Nursing requires \$342,000 for H1N1 program materials. Insured Health Services requires an increase of \$1.3 million for medical travel costs, based on volume increases. Insured Health Services requires an increase of \$1.1 million for physician claims, based on volume increases. Insured Health Services requires \$94,000 for H1N1 program materials. A reallocation of \$421,000 is required within Community Health from the other allotment to transfer payments for the Yukon Hospital Corporation laboratory services agreement. A reallocation of \$155,000 is required within Community Health from the other allotment to transfer payments from the Lutherwood mental health agreement. Also, a reallocation of \$9,000 is required within Community Health from the other allotment to transfer payments for the Yukon College *Tracks* newsletter. A reallocation of \$83,000 is required within the pan-territorial oral health project from other allotment to personnel.

Total other allotment increase is \$3,689,000. Crazy for you, for the member opposite.

The territorial health access fund also requires \$1,449,000 to complete projects for 2009-10, based on the last five-year funding agreement from the Government of Canada.

A reallocation of \$421,000 is required within Community Health from the other allotment to transfer payments to the Yukon Hospital Corporation for laboratory services.

A reallocation of \$155,000 is required within Community Health from the other allotment to transfer payments for the Lutherwood mental health agreement.

A reallocation of 9 again, is required within Community Health from the allotment transfer to Yukon College *Tracks* newsletter. Again, the total transfer increase allotment there is \$2,034,000, and again the total increase to Health Services is \$7,646,000, all for the members opposite.

**Health Services in the amount of \$7,646,000 agreed to
On Yukon Hospital Services**

Mr. Mitchell: I'll just ask the minister to confirm, so we have it all in one section of *Hansard*, what he previously identified as this being for the pension at the hospital. I would mention, since the minister is very good at referring to the tunes — I've seen his karaoke expertise and I think I might have even participated once; it does help the time pass — I must admit since the minister has identified the territorial health access fund, I look forward to the minister's pronunciation of the successor fund, which I believe is spelled, THISSY. I look forward to hearing the minister say that in the House. With that, I'll sit.

Hon. Mr. Hart: For the member opposite, the new name is called the "Total Health Income Serving Innovative Sustainable Initiatives Temporarily" — short form, THISISIT.

Yukon Hospital Services in the amount of \$253,000 agreed to

On Regional Services

Mr. Mitchell: I'll ask for a breakdown. It's certainly interesting that that acronym is different from the last time the minister described it for me.

Hon. Mr. Hart: We're looking at \$223,000, which is required for social assistance due to the volume increases with regard to that process and, again, that is \$223,000.

Chair: Is there any further debate?

**Regional Services in the amount of \$223,000 agreed to
On Total of Other O&M Programs**

Total of Other O&M Programs in the amount of nil cleared

Total Operation and Maintenance Expenditures in the amount of \$11,542,000 agreed to

On Capital Expenditures

On Policy, Planning and Administration

On Integrated Health and Social Services Facilities

Integrated Health and Social Services Facilities in the amount of \$10,000 agreed to

On Office Furniture and Operational Equipment

Office Furniture and Operational Equipment in the amount of \$17,000 agreed to

On Systems Development

Mr. Mitchell: Just an explanation about whether this was simply a timing issue that the work was not completed within a year or why there is that large a reduction.

Hon. Mr. Hart: This is basically a timing issue. The project was deferred basically on the purchase of equipment and only being partially recoverable.

Chair: Is there any further debate?

Systems Development underexpenditure in the amount of \$586,000 cleared

On Family and Children's Services

On Foster Home Equipment

Foster Home Equipment underexpenditure in the amount of \$7,000 cleared

On Healthy Families — Renovations

Healthy Families — Renovations in the amount of \$5,000 agreed to

On Young Offenders Facilities — Renovations

Young Offenders Facilities — Renovations underexpenditure in the amount of \$32,000 cleared

On Young Offender Facilities — Renovations

Young Offender Facilities — Renovations underexpenditure in the amount of \$32,000 cleared

On Young Offender Facilities — Operational Equipment

Young Offender Facilities — Operational Equipment underexpenditure in the amount of \$4,000 cleared

On Residential Services — Renovations

Mr. Mitchell: Just an explanation from the minister of the reduction, please.

Hon. Mr. Hart: We're looking at a lapse of \$30,000 from the children's receiving home project; renovations at 5030 Fifth Avenue, which was identified as a project due to the costs being than expected, as well as a lapse of \$43,000 for various repairs and residential services where costs were less than budgeted. There was a transfer of \$10,000 to policy and planning and administration for tenant improvements at the human resources office, as well as a transfer of \$5,000 for repairs in the community health programs. The total budget reduction: \$88,000.

Residential Services — Renovations underexpenditure in the amount of \$88,000 cleared

On Residential Services — Operational Equipment

Residential Services — Operational Equipment underexpenditure in the amount of \$5,000 cleared

On Social Services

On Social Services — Renovations

Social Services — Renovations in the amount of \$6,000 agreed to

On Social Services — Operational Equipment

Social Services — Operational Equipment underexpenditure in the amount of \$6,000 cleared

On Continuing Care

On Copper Ridge Place

On Copper Ridge Place — Renovations

Mr. Mitchell: I'd ask the minister for a breakdown and explanation of the reduction.

Hon. Mr. Hart: The net decrease of \$58,000 to the Copper Ridge Place renovation budget is recorded due to a

\$82,000 lapse in the roof canopy replacement project completed underbudget, offset by a transfer from Copper Ridge Place equipment of \$24,000 for the replacement of the air-handling system project.

Copper Ridge Place — Renovations underexpenditure in the amount of 58,000 cleared

On Copper Ridge Place — Operational Equipment

Copper Ridge Place — Operational Equipment underexpenditure in the amount of \$24,000 cleared

On Macaulay Lodge — Renovations

Mr. Mitchell: I would just ask for an explanation of the renovations and if there are any other additional renovations that are required in the near term before a replacement facility is built.

Hon. Mr. Hart: Macaulay Lodge renovation — increase of \$31,000 to offset higher costs of oxygen-room design. There are always ongoing things with regard to Macaulay Lodge and we're always keeping abreast.

Macaulay Lodge — Renovations in the amount of \$31,000 agreed to

On Macaulay Lodge — Operational Equipment

Mr. Mitchell: The reduction is for replacement planning and I would ask for an explanation and also, if the minister —

Chair: Order please. We're actually on operational equipment under Macaulay Lodge, the reduction of \$31,000.

Any debate on that line?

Macaulay Lodge — Operational Equipment underexpenditure in the amount of \$31,000 cleared

On McDonald Lodge — Replacement Planning

Mr. Mitchell: This is the question I wanted to ask about replacement planning and the reduction — where this process is, the projected timelines for when the replacement planning will be completed and, if the minister could — in the past there were some difficulties with the heating system in McDonald Lodge. Have those all been remedied?

Hon. Mr. Hart: We indicated that we would commence with regard to McDonald Lodge replacement once the current health facility in Dawson City has been completed. I also indicated that one of the key aspects of the Dawson health care facility and hospital — once that is completed, we'd be looking at adding on to the McDonald Lodge facility and taking advantage of mechanical and electrical, as well as other service facilities of that facility so that both McDonald Lodge and the Dawson City hospital could take advantage of that facility and maximize the use of both.

McDonald Lodge — Replacement Planning underexpenditure in the amount of \$41,000 cleared

On Health Services

On Community Health Programs — Renovations

Community Health Programs — Renovations in the amount of \$26,000 agreed to

On Community Health Programs — Operational Equipment

Community Health Programs — Operational Equipment underexpenditure in the amount of \$6,000 cleared

On Community Nursing — Renovations

Mr. Mitchell: Just a breakdown of that, please, Mr. Chair.

Hon. Mr. Hart: This was an internal transfer of \$59,000 from the Watson Lake health centre assessment report, which was completed underbudget, to other community nursing renovations for increased costs for various projects.

Community Nursing — Renovations in the amount of \$59,000 agreed to

On Community Nursing – Northern Strategy — Telehealth

Mr. Mitchell: A breakdown, please, Mr. Chair.

Hon. Mr. Hart: This is northern strategy 2009 intake, through to phase 3, First Nation telehealth expansion. The project cost is a total of \$600,000 over three years for 2009-10 through to 2011-12. The 2009-10 allocation is \$370,000.

Community Nursing — Northern Strategy – Telehealth in the amount of \$370,000 agreed to

On Community Nursing — Watson Lake Health Centre — Assessment

Community Nursing — Watson Lake Health Centre — Assessment underexpenditure in the amount of \$59,000 cleared

On Total of Other Capital Expenditures

Total of Other Capital Expenditures in the amount of nil cleared

Total Capital Expenditures underexpenditure in the amount of \$423,000 cleared

On Revenues

Mr. Mitchell: Mr. Chair, the minister made reference to this line item in his opening remarks, but I am just wondering if he has any other detail regarding the child welfare with DIAND and what year this really is from that the money is now being received. I know there has been a backlog on these transfers.

Hon. Mr. Hart: This is for the current year, but we are dealing with the federal government on multi-year aspects. I will advise the member opposite, though, that we have reduced that substantially. It has taken us awhile, but we're finally getting it down to where it is a workable number.

Revenues cleared

Department of Health and Social Services agreed to

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. 18, *Third Appropriation Act, 2009-10*, Vote 55, Department of Highways and Public Works.

Department of Highways and Public Works

Hon. Mr. Lang: In my opening address this afternoon, Mr. Chair, I would like to go over the objectives of the department. We support government program delivery through: procurement of management services — a very important part of our task on a yearly basis; to serve the public by managing and regulating transportation infrastructure, systems and pro-

grams — of course, that is self-explanatory; to serve the public and support government departments by developing and maintaining buildings, transportation and technology infrastructure — again, this is what we do as a department; to coordinate with and assist Government of Yukon departments and corporations to deliver French language services to the Yukon public in accordance with the *Yukon Languages Act* — another important part of our task at hand as a department.

As we move through this, this afternoon, Mr. Chair, it certainly is a department that is a very directed and very, I would say, motivated department in delivering all the services that they are assigned to do. I would like to thank all of the individuals who work day in and day out for Highways and Public Works, which encompasses and touches most communities in our territory and a large percentage of our employees are living in those communities.

If you're to look at our responsibilities as far north as Old Crow, at the airport there, and look as far south as Watson Lake, you'll see that a large part of the population based in those communities has an indirect relationship with the Department of Highways and Public Works. So, as we move forward with our supplementary here this afternoon, it certainly — the responsibility that we have through Public Works is overseeing investments like our new international airport. I'm sure that we've all had a moment to go look at the improvements there. It's certainly being delivered under property or public works on time and on budget. We certainly look forward to the international component of our airport, the Erik Nielsen International Airport, this spring, and having it complete and ready for use. It was a commitment we made as a government to the airline that that would be exactly what we would do. Mr. Chair, you can see where that will be delivered here in the spring.

Certainly, as we move through the territory — of course, some of the larger projects that we're involved in — whether it's the massive investment this government has made on upgrading the Campbell Highway over the last three years — and of course we have one more year of that commitment — whether it's the chipseal program we do extensively through the territory.

Last weekend I had the pleasure of going on the off-road, the mining roads in the Dawson City area. I'd like to compliment the individuals in Dawson City who were proactive on that and certainly have shown the signs that people have been on the ground there. Those roads are open for the general public and, of course, more importantly for industry so they can get in and get at the mining part of the area.

I'm here to answer questions. I appreciate the members opposite, and certainly with my capable staff here I'm sure that we can answer any questions they have. We look forward to the rest of the afternoon as we walk through this supplementary here pertaining to Highways and Public Works.

Mr. Inverarity: I'm looking forward to the rest of the afternoon too. I have to say I don't think I'm going to be taking that long today, but I do have a few questions. First, I'd like to thank the officials for coming here this afternoon. It's always a pleasure to have you here. I'm sorry to take you away from your otherwise very busy day I know that you have. Certainly,

the Department of Highways and Public Works is an important part.

As the minister has indicated, I don't think that there is anybody in the territory who isn't affected by this department in one form or another. Certainly, the Property Management side and highways themselves — I know we all depend upon the highways. I know the staff try to make them as safe as possible. Actually, to that point, while I'm thinking about it, I'd like to thank the minister for fixing the bridge at Fox Creek. I drove over it the other day and it looks like the washboard on it is gone and it appears to be smooth sailing. Thank you very much.

Just to get down to some of the questions at this point — and I noticed the minister mentioned about being on time and on budget for the Whitehorse airport. I noticed that there is around \$3.1 million in the supplementary budget. There's only \$400,000 in the new mains that are coming out. The first Condor flight, if I'm not mistaken, is scheduled for May 4. Will it be available and will the new terminal be ready for the first set of international flights coming in?

Hon. Mr. Lang: Certainly, I'm looking forward to exactly that: opening the new airport for that Condor flight. The expansion of the air terminal is ahead of schedule and on budget. The terminal should be operating by the first of May 2010. Completion of the improvements to the airside surfaces at several aerodromes through the application of environmentally friendly products that reduces maintenance requirement, improves runway durability and safety and the suppressed dust that can harm aircraft. The application of this product also provided to the — I'm getting off subject here. This is the product we're doing internally to manage Old Crow and our other runways that have a dust issue. This is something we've done as a government. Certainly, this facilitates the landing of the first 737 into Old Crow, and of course, the question about Dawson City and having it accessible to 737 traffic. So, the question the member opposite asked is — yes, we are very optimistic that we will be able to meet that date for the first Condor flight into the territory.

Mr. Inverarity: Well, I look forward to it. Maybe we should have a little party up there for the first Condor flight coming in, to welcome it. I haven't seen the actual plans, and I was curious whether or not there will be a bridge in the new wing that is coming out, so the passengers can deplane right into the main terminal building. I would think that there should be, but just to be sure that we're on track with that.

Also, I'll roll in a second question here. You mentioned dust control in places like Old Crow. I believe there were some issues that the Member for Vuntut Gwitchin had brought forward regarding the extension of the turnaround area and the creation of a larger turnaround area at the one end of the runway. I believe the 737s were having a bit of a problem. Perhaps the minister could give us an update on that too.

Hon. Mr. Lang: On the new tunnel for the new terminal, that will be on phase 2. So that will be something that will not happen this season, but it will be in phase 2 for the terminal. It is in the plans. I certainly look forward to that happening, too, in the next couple of years.

Certainly the airports in Old Crow and Dawson City had to have an upgrade on them to accommodate jet service. The dust control was part of it, but we had to put a physical — what you would call a bubble or turnaround for the 737 to make it feasible for them to actually land and then turn the airplane around.

We all understand that a 737 has a different weight profile than the normal airplanes that go in there, so this was part of the request made by the airlines themselves. To facilitate the jet, we had to upgrade that turnaround to make it stronger and more accessible to this size of airplane.

Mr. Inverarity: Again, my question just on that was I — and perhaps the minister can correct me if I'm wrong, but I believe that there still is an issue in Old Crow with the turnaround at the end of the runway — that it's either too tight or too small, or that it interferes with the road that goes by the end of the runway.

Hon. Mr. Lang: I'm told that the facility is there, but the airlines sometimes choose not to use it. So it's an option they have. But it is physically there, and I'm told that it's perfectly up to the standards that the airline requested, but in some incidents they don't utilize it.

Mr. Inverarity: Just moving along, I would be remiss to not talk a little bit about a deficit that's occurring in the budget here and the role that the department plays. As indicated on page S-1, the deficit for the year is \$23,096,000. In looking at the Department of Highways and Public Works supplementary here, there are recoveries of about \$12,700,000 that were not in the original estimates. So if we hadn't received the — well, it was almost \$13,727,000 in terms of recoveries.

That would have significantly increased the deficit amount for the current fiscal year. I would have to say that I'm glad we got the money, because it certainly reduced the overall deficit for the government. But I found it interesting that from a planning point of view, these recoveries are only turning up in the second supplementary to the budget.

Was the minister not aware when the budget was originally produced or even at the first supplementary that this extra \$13,700,000 was coming, and could it not have been included in the earlier estimates?

Hon. Mr. Lang: We can't report the recoveries until the agreements are signed, so that is why it falls in place here today. So it's a process that we go through and, of course, we honour the commitment that these cannot be reported until such time as they're agreed to.

Mr. Inverarity: I thank you for the explanation. I noticed in the ICT recoveries that they were reduced by \$872,000. I think the main estimates had a \$1,200,000, and then it was revised in the supplementary budget down to about \$245,000. Would the minister explain to us why there's such a reduction in recoveries — what makes up those total recoveries in the ICT division? I mean, it's a 78-percent decrease.

Hon. Mr. Lang: This \$300,000 decrease was due primarily to a reduction of O&M requirements for the service agreement with Northwestel for the new mobile radio system. In other words, this was a reduction because of the O&M requirements. Again, this is good news. It was a \$300,000 savings.

Mr. Inverarity: Was this because the system wasn't implemented in the current year, or was there some other reason for it?

Hon. Mr. Lang: The commitment was because of the — it is still under construction and this was caused by that.

Mr. Inverarity: Well, while we're talking about the MRS system — communication upgrades — could the minister perhaps give us the status of the project, when it will be fully implemented, and if it is on time and on budget?

Hon. Mr. Lang: As we know, it has been a period of time since this project was jump-started. The project will come on-line during the summer of 2010 — this coming summer. That is a commitment we made when it was first committed to. Northwestel is contracted to operate and maintain the MRS infrastructure until February 28, 2025. That's a business arrangement we have with Northwestel.

The 2010-11 O&M recoveries from the RCMP total \$2,092,000, compared with the 2009-10 forecast of \$174,000. Is that true — that figure? I'm just verifying some figures. So this is a figure here with the RCMP, and then this thing jumps out at \$174,000. The MRS and O&M recoveries in 2010-11 represent a full year of recoveries, while the 2009-10 recoveries reflect one month of recovery. That's where the discrepancy is. Okay, thank you very much.

The 2010-11 capital recovery from the RCMP totalled \$114,000, compared with the 2009-10 forecast of \$5,029,000 because the 2009-10 MRS recoveries are for the implementation of MRS, and the 2010-11 recoveries are for ongoing capital upgrades and enhancements. In other words, it is work in progress and we expect to have the whole project up and running in the summer of 2010.

Mr. Inverarity: I think we asked about this actual issue with regard to the RCMP that you brought up in the briefing and there was a significant change — I think it was mentioned about \$5 million versus \$114,000. It was my understanding that there was an original agreement with the RCMP. That agreement either didn't go forward or was cancelled. I'm looking for information as to why the agreement — and that a new agreement either is coming forward or replaced. Could you tell us the status of where the RCMP sit in participating in the MRS system. Is there an agreement in place? Was the old one cancelled? In fact, what is the new one and what is their contribution going to be?

Hon. Mr. Lang: Clarifying that, there is a partnership that we signed as a government with the RCMP. They're a very important part of this infrastructure. I guess the easiest way to explain it to the member opposite — it's how it's coming on-line and how those costs bear on that timeline. As we grow into it, in the summer, when the whole commitment is done — in the summer 2010, it will be the whole contract. So in other words, the RCMP are investing in it as it goes forward.

Mr. Inverarity: Is this investment an O&M issue or are they actually contributing to the capital costs of the project? Because I believe the original agreement had a capital investment in it at some point too.

Hon. Mr. Lang: I'm told that it's both; it's capital and O&M. It's an ongoing partnership that we'll be working on

with the RCMP. We have to understand that this wouldn't be viable without the RCMP partnership, so they're a very important part of this commitment. Certainly, they have a capital commitment and an O&M commitment.

Mr. Inverarity: I'm not trying to be critical here, if I sound that way. Sometimes people say I have a tendency to sound a little critical. I'm just curious about the role. Perhaps the minister could submit to us afterward a breakdown of what the capital and the O&M costs might be. I don't need them today. I was a little bit concerned that their portion or their contribution — or they had some identifiable problem with the original contract, and it sounds like that's not the case — that it was an issue of timing. Perhaps the minister can just clarify that for the record, that it's strictly a timing issue and there were no problems with contracts or anything.

Hon. Mr. Lang: Not that I'm aware of. We've been growing into this over a last period of — what is it? Two or three years that we've been discussing this and working on this system.

The contract hasn't varied. I could put some timelines in front of the member opposite if he wanted us to do that on how this thing has fallen together as we grew into it.

Mr. Inverarity: That would be much appreciated. Thank you very much. I look forward to seeing those. The minister mentioned the maintenance contract for this project extends to 2025. Could the minister tell us what the total cost of the maintenance contract is from today or whenever the inception is until 2025?

Hon. Mr. Lang: In addressing that, Mr. Chair, I don't have those figures with me here today.

Mr. Inverarity: But I believe the contract has been let until 2025.

Hon. Mr. Lang: Mr. Chair, certainly it has. Northwestel has been a partner on this project since day one. They again are another partner in this process, so yes, the commitment has been made.

Mr. Inverarity: As perhaps a return, the minister could submit to us the annual amount of that service contract over the next — I think it is almost 15 or 16 years that we've committed to that.

I'd be kind of curious to see what the total cost is — perhaps a year-by-year breakdown. I don't know if it is structured that way or not. However it is structured would be — I'd appreciate it. We can move on from there, if that's possible. Maybe I had better ask just to make sure.

Hon. Mr. Lang: These contracts seem to be based on a very lengthy commitment. Our last contract for the system that we're replacing was 15 to 20 years. These are long-based commitments of governments and of course this is a large investment for our government. Of course, with our partners — whether it is Northwestel or the RCMP — it seems to me — and I'm just here as the minister — these contracts are a long-term commitment and they have been in the past. This one is as lengthy as the last one.

Mr. Inverarity: I think the minister doesn't do himself credit here. He is obviously a very important person and I think that the contracts are very important. It is a commitment on the

part of government down the road. If it's a million dollars a year, fine. If it's \$1,200,000, fine.

I'm just kind of curious. I'm not criticizing the contract at all. I'm just trying to determine what the total commitment might be on either an annual basis or over the 15 years as to how much is actually being committed by the government. I think it's a reasonable request, both here — and obviously the RCMP are going to be putting money into the project, and so that would probably be a recoverable. You know, it's all for the good of the Yukoners. Let me say right up front what I've seen in demonstrations I've seen of MRS — and I think the minister knows that I'm an amateur radio operator and I participate in some of the EMO things that are going on around the territory. I think it's important. I think that this project is an important project; I'm just trying to understand the costs.

Hon. Mr. Lang: I'd like to thank the member opposite. I certainly didn't diminish my role as the minister in this process. Certainly, I was involved because I was the minister when I took over the department — how it unfolded and what the responsibilities of the government were financially and physically. There were two parts to this, because we as a government did part of it ourselves. That is called the — there's another smaller remote site on — I think it's the Canol Road, is it not?

We made another investment to make sure that these areas, as remote as they are, also had investment. So the completion and installation of the southeast remote sites — because the investment of the MRS system didn't expand into these areas — are to provide mobile communication for emergency responders, conservation officers, highway maintenance workers and others on the North Canol Road and South Canol Road — I was right about that — and the Nahanni Range Road. So those areas will be covered, too, but this is an investment the government made to maximize our coverage. Partners with Latitude Wireless, which again is a Yukon company, to expand cellphone coverage in the Lake Laberge, Carmacks, Ibex Valley and of course, the Watson Lake areas — another investment.

So as you can see, this mobile radio system has been a large commitment that this government has made. Seven years ago when we became government, there was very little cellphone coverage in the territory at all. Of course, it's a modernization of our communication system throughout the territory. Certainly we made small investments, but we've enhanced many of those investments.

We have enhanced service in Carmacks and Lake Laberge and that went into service August 2009. The Watson Lake and Ibex Valley went into service March 2010, so that is just recent improvement, and Dawson City will be in service for the summer of 2010. In Carmacks, and especially Dawson City, Mr. Chair, our first cellphone systems weren't adequate to cover the area. These expansions were needed so that the community of Dawson City had better coverage. As we all know, because Dawson City is situated in the hills there, it is very hard to get that kind of coverage.

Since 2006, the Yukon government has participated in the expansion of cell service to 23 independent areas throughout

the Yukon — so there was a large investment in that level of communication too, Mr. Chair.

Mr. Inverarity: What I am looking for is just a commitment. I would like to finish up here and move on. I am just about done. All I am looking for is a commitment from the minister that he will have the department give us the details on the service contract with Northwestel from now until 2025. If it is possible, could they also give us the same sort of information regarding the service agreement with the RCMP, and I will be happy.

Hon. Mr. Lang: I committed to do that. That is not a problem. That's public information. Any time we enter into a contract — I mean that's not a problem. We will definitely give you the paperwork that would cover the request. I thought I made that clear when I gave an answer.

Mr. Inverarity: My apologies then. It wasn't clear to me and I stand corrected. I'll look forward to that. Thanks a lot. We can move on.

The R and R for the north Alaska Highway — I am wondering if the minister knows how much was spent last year and if possible — I know it's not next year but certainly if you have both numbers it would be nice. Certainly the R and R numbers for the north Alaska Highway would be appreciated if you have them.

Hon. Mr. Lang: As you can see by the investment we make in our highway system, there was \$29,803,000 spent in 2008-09. There was \$23,600,000 in 2009-10 and \$25,261,000 so — that's the forecast, excuse me, and those are the actual figures. I'm sorry, Mr. Chair; I'm reading the wrong figures here. There was \$29 million — I'm not sure if that's what the gentleman wants — that's our Shakwak commitment on the Alaska Highway.

Now the Alaska Highway itself — we would have to break that down. That's \$2.9 million in 2008-09, and then we've got the \$4.2 million in 2009-10. That's an estimate and of course \$4,900,000 million was forecast for 2009-10. So as you can see, Mr. Chair, these are large investments. I certainly understand what the member is talking about on the north highway because of the Shakwak project. The investments were made there over the last five or six or 10 years — or 30 years actually if you look at the whole project. There are questions about the permafrost and about the condition of the roads. We do invest in BST, but BST is looked at throughout the whole Yukon. We spend X amount of dollars on BST. The crew goes out and does certain spots and we don't bill that to a specific kilometre; we just have so many kilometres done every year.

We would be doing work on — let's say, this year between Faro and Carmacks. So, we do 14 kilometres or whatever the figure is. Well, that's the estimate we use. We don't specifically point out — I have some more information. On the Shakwak project — of course, that goes on. Funding since 1977 amounted to approximately — the Americans' \$436 million has been spent on the north highway. Yukon government, again, is seeking another agreement with the Americans, and that, of course, is with the American government — it's not with the Government of Alaska — so we're dealing with the federal government for \$144 million. The U.S. covers 100 per-

cent of the capital costs. Of course, the Yukon takes on the O&M, which would be natural.

As you can see, there are large commitments of total dollars on the north highway. But I do understand — and we do monitor the north highway pavement, and certainly we're looking at different remedies over the next period of time — whether it's taking out the pavement and putting BST in, which might be easier to work with — but certainly we are monitoring and we're working with our partners, whether it is Laval University or the Department of Transport in the State of Alaska. We certainly brought it to the attention of the Shakwak or the federal government in Washington that those were shortcomings of the investment they made on the north highway.

Mr. Inverarity: I think the term “R and R” refers to ripping and restoration. The budget amounts to normally around \$1 million or \$2 million — somewhere in that neighbourhood. It was a request made to me by someone else and I just thought I would ask that. I think those numbers are buried in there somewhere, if it was specifically the R and R numbers that I was talking about.

Property Management — I noticed that there was a small increase in the supplementary budget and I was wondering what program changes or additional costs are in the budget for implementing the recommendations of the Auditor General. Perhaps as a second question: how is the master space plan coming along and what is the current status of it?

Hon. Mr. Lang: In talking to the individuals from the department who are here this afternoon — a rough figure for the gentleman on BST expenses that the territorial government does on the north highway — which would be an average, Mr. Chair — is roughly \$700,000 a year that is invested in the north highway as far as BST. That is a 100-percent investment by the territorial government and that would be an average figure. Certainly, the master space plan has been a very complex project that has been going on since about 2006. It is completed. I can tell the House that it is completed at the moment. The department participated in the development of — in saying that, in the master space strategy, we have focused at this point on Whitehorse alone. Of course, the next investment we have to make is to eventually extend it territory-wide because the space plan in the City of Whitehorse is one thing but we have investments throughout the territory — whether it's in Dawson City or Watson Lake or in any of our other communities. This space plan will be expanded to cover all the territory.

One thing we did discover in this process is that it was a very lengthy project and very time consuming. I certainly would like to thank all the individuals in the department who went to work on this to bring forward the master space strategy, because when we talked about it, I didn't realize at the time the amount of work it was going to take to get that resolved. It is done. It isn't done throughout the Yukon. It will be done. I have no timelines on that, and I haven't addressed that with the department, but I'm sure they probably will be able to estimate the outlying areas tightly than we did the community of Whitehorse, because that was a large project that took a very, very long time — an extended time — to get it done. I'm pleased to announce that it is done.

Mr. Inverarity: I think my last question would be to ask the minister if he would commit to tabling the Whitehorse-only portion of the master space plan in this House. If that is not the case, at least would he give it to all the parties so that we could have a look at that?

On that note, I'm going to thank the officials for coming and participating this afternoon. I have enjoyed the session. I am looking forward to your return for the main estimates and will have some questions around that. At this point, Mr. Chair, I would like to turn the questioning over to my colleague from Mount Lorne.

Hon. Mr. Lang: Mr. Chair, in addressing the member opposite, this plan is a very large document, so instead of presenting it here in the House, I could organize a briefing so that we could brief the opposition on exactly what came out of that plan. I could coordinate that in the future.

Mr. Inverarity: Sorry, I thought I was done. A briefing would be most appreciated and perhaps maybe two copies — one for us and one for the Third Party — could be provided at that briefing so that we have it. Is it digitized? We could maybe browse it at that point. Obviously we are going to have a briefing on it; it would be nice to have something to look at.

Hon. Mr. Lang: In addressing what the member has just said, I'll leave it with the department to work on and see what we can do.

Maybe we can do this through a computer or digitized or whatever would be easier, but we will get the plan in front of you in some fashion and do a briefing so you can ask pertinent questions.

Mr. Cardiff: I'm going to be extremely brief, I believe — or I'm hoping — during the debate on the supplementary.

I am pleased that my colleague, the Member for Porter Creek South, asked the question about the master space plan. My suggestion would be maybe we could get it on a CD or something if printing it is — that might be the easiest way. I certainly would appreciate a briefing.

It's one thing to have the plan complete; it's another thing to implement it. So what I'd like to know from the minister — because we're talking about a lot of real estate, properties, and buildings that have to be maintained and a lot of offices and people who need offices that we're providing services from. I'm just wondering if there's any information around the implementation of the plan or the strategy.

Hon. Mr. Lang: I've been informed that it's going through the Management Board process, and part of that is the implementation plan on how the department visualizes moving forward.

Mr. Cardiff: I want to ask the minister a question about the rural road upgrade program. It's my understanding — and I did have a brief conversation with the minister about this particular topic, and part of it is about communication with other levels of government. There was an announcement about — I believe this money is actually in the mains, but for clarification, I'd like to ask the minister some questions about it now, because it's — as the minister would say — a timely time to ask the questions. They announced \$350,000 for upgrades on

the Annie Lake Road. One of the things kind of caught some of my constituents off guard.

There were hamlet councillors who were receiving phone calls going, "What kind of work is going to be done?" So that is my question for the minister: does he have details of which kilometres of the Annie Lake Road are going to be affected and what type of work is going to be performed on the Annie Lake Road?

Hon. Mr. Lang: The investment on Annie Lake Road is infrastructure stimulus funding. It is a 50-cent dollar — 50 cents territorial government, 50 cents federal government for the investment. I would have to get back to you on the plan itself and the kilometres, but I would commit to do that.

Mr. Cardiff: Okay. Thank you, Mr. Chair. I would greatly appreciate if the minister could get back as soon as possible with the details — by e-mail would probably be the easiest. Then I would be able to communicate that information to my constituents. Then they would have an understanding.

I know that the other part of the conversation I had with the minister was about — he mentioned that there was the possibility of increased mining activity up in the Wheaton River valley at the end of the Annie Lake Road, I believe he indicated. I would be interested to know whether or not that would advance more work on the Annie Lake Road, either this year or in the next year. Is there a plan for doing more work? I know this was a priority of the community.

Hon. Mr. Lang: We haven't been informed of any increase on that road from the existing mine or any other mine, so that hasn't been brought on to our radar screen. Certainly, we monitor the road over the years to make sure that we have the engineering capabilities if, in fact, something were to happen at the end of the road. But at the moment, Mr. Chair, that's not the case. We haven't had any communication at any level as far as Highways and Public Works are concerned on that issue.

There are more interesting statistics here. We were talking about BST. There is a commitment to put 75.7 kilometres for replacement of BST throughout the territory. Now when we're talking about the north highway, like the member opposite — on the north Alaska Highway we will continue with 13.7 kilometres scheduled for rehabilitation. So again, we're investing in the north highway, understanding some of the challenges we find on the highway in that area. So there's almost a 76-kilometre commitment for rehabilitation of BST throughout the territory and, of course, 13.7 kilometres is going to be addressed in rehabilitation for the north highway.

Mr. Cardiff: Well, the minister decided to throw in a few more statistics. Can he tell me whether there is any BST rehabilitation scheduled for the south Klondike Highway? There are a few sections where it has been repaired over and over again. It seems to be an annual thing. I'm just wondering whether or not — if there's a schedule. Obviously there is. I'm just wondering where the south Klondike Highway fits in that schedule.

Hon. Mr. Lang: I would commit to give you the details on where the 76 kilometres of BST is going to be invested

this year. So I'll send that over to you, and you can see exactly where the investment is.

Mr. Cardiff: I'd appreciate receiving that. Can the minister also provide — I believe that associated with the Budget Address, there was a five-year plan. So can the minister commit to providing the five-year plan for BST replacement throughout the territory as well?

Hon. Mr. Lang: The BST question is evaluated on a yearly basis because you understand what the nature of the product is. So it's assessed and then it's prioritized and then, of course, the commitment is made on kilometres. So, again, I can give them to you, but it's a yearly commitment; it's not a five-year commitment per se.

Mr. Cardiff: Well, I'd suggest that there's at least one kilometre of BST on the Annie Lake Road that could be replaced, if the minister would take that under advisement, for starters.

I have a couple more questions with regard to the rural road upgrade program. Can the minister tell me whether there is any work planned this year with regard to what is known as the "triple C road" on the Carcross Road? I know that residents there have been asking for years to have some work done on that road, and I recently drove on it and quite frankly it could use some work.

Hon. Mr. Lang: Mr. Chair, I am sure there are many, many opinions where that one kilometre of BST should go. I leave that in the hands of the engineers and the department itself to make those kinds of calls, because they are working with it on a daily basis. There is another mile on the Fish Lake Road — we've already got two miles done. But anyway, besides the humour of the question about where BST is going to go, I would certainly like to compliment the department on the amount of work they do. It certainly is a full summer for the crew to get the commitment finished every year. It certainly adds to the safety of the travelling public in the territory, and I would like to compliment them on that.

As far as the triple C road, I'm not aware of any commitment for an upgrade, or is it BST the member wants, or just a grader?

Mr. Cardiff: The road gets graded on an annual basis, I believe, but the school bus stops on the highway at the end of the road. It's not up to a standard that a school bus could go up, and I don't know that that's what residents are requesting. When it gets graded, boulders get graded out on to the road, or come up through the road, and it needs to be graded and it needs to have a gravel surface put on it. That's my understanding of what residents are requesting. It needs to be widened in a few spots.

It serves a number of constituents. The government released land, kind of as an infill, several years ago, so there are more people living up that road.

While I'm on my feet, I also had concerns raised about the maintenance of the road in the Robinson subdivision. People are concerned about the safety of the travelling public and especially about their children who go from one home to the other — whether they're walking or whether they're on their

bicycles. Could the minister commit to having his officials look at that?

I'd like to thank the officials for being here today and assisting the minister in providing the answers and for the work that they're doing. If the minister could answer those questions, I'd be done. Thank you.

Hon. Mr. Lang: I appreciate the member opposite bringing up the question of some of our remote roads and how they're maintained. A lot of those roads in the territory have a certain standard of maintenance and that is done internally in the department, based on needs and numbers and vehicles and all of the statistics that the department gets on a yearly basis to make sure that we're addressing where the need is most.

As far as upgrading the road the gentleman was talking about, I'm told by the officials that there has been some investment in there over the last five years, but I certainly would encourage the department to take a look, as they do on a yearly basis, to see where we could improve things — whether it's on the C road, or double C, or the Robertson Road or whatever — I always encourage our department to maximize the time and the equipment we have. Again, I'd like to compliment them for the job they do. We have always got to remember that, in season, we maintain over 5,000 kilometres of road. The bridges are repaired on a yearly basis, a number of culverts — and, of course, the question the gentleman opposite asked regarding the north highway and how we manage those situations. So, again, I encourage the department to do what they can to make sure that we minimize the impact of people getting access to their property. Of course, the safety issue is always very important. People move between different homes. Nowadays, a lot of cyclists move around. In the winter, we have skidoos moving around. So there's always the balancing act of what we can do within our budget to address safety issues and make sure that people have access to their property in a safe and timely fashion. So, again, I'd like to thank the member opposite.

Chair: Any further general debate? Seeing none, we'll proceed line by line in Vote 55.

Mr. Inverarity: Mr. Chair, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 55, Department of Highways and Public Works, cleared or carried

Chair: Mr. Inverarity has requested unanimous consent of Committee of the Whole to deem all lines in Vote 55, Department of Highways and Public Works, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$947,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$2,615,000 agreed to

Department of Highways and Public Works agreed to

Chair: Committee of the Whole will now proceed with Vote 8, Department of Justice. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 18, *Third Appropriation Act, 2009-10*, Vote 8, Department of Justice.

Department of Justice

Hon. Ms. Horne: I will be brief today by outlining the highlights of the 2009-10 *Supplementary Estimates No. 2* budget request. To help orientate our discussion today, I would like to review the items in it for the House's benefit.

As this House will recall, we have been working in our human rights legislation to ensure we have adequate protection of human rights within Yukon, and at this time I'd like to thank the Human Rights Commission for all their valuable work that they do in Yukon.

In this supplementary budget there is a one-time increase required to fund the *Human Rights Act* modernization project. Funding of \$66,000 will be allocated to 2009-10 to fund project costs associated with research, analysis, consultation and evaluation.

A one-time supplementary increase of \$45,000 is requested for the Human Rights Board of Adjudication for 2009-10 to fund increased workloads or complaints filed, complex and costly hearings scheduled, and the development of policies and procedures for hearing preparation.

A one-time increase of \$58,000 for 2009-10 is required to cover the annual operating costs of the Yukon Human Rights Commission. This increase is required to address funding challenges due to staff turnover, uncompetitive salary rates and increased case load.

Our courts and their support are a very important function of the Department of Justice, and from time to time we need to adjust budgets to support pressures within the court structure. In this supplementary budget there is a one-time increase of \$57,000, which is required to fund the judges' supplementary pension plan to cover the 2009-10 benefit cost adjustment. In addition, there is a one-time increase of \$118,000, which is required to assist the court operations in funding a 30-day, court-ordered psychiatric assessment, which began early in the 2010 calendar year.

Finally, there is a one-time increase of \$330,000, which is required to fund daily operational costs incurred by the Court Services branch. This funding has been allocated to areas that have experienced historical funding pressures. Under the heading of Legal Services, there are a number of items in this budget.

The aboriginal courtworker program is an important program designed to help persons of aboriginal descent to navigate the court process. I am pleased to be able to report to this House that in this supplementary budget the aboriginal courtworker program will be receiving an additional \$20,000 this fiscal year as a contribution for the costs of a project entitled, "Training for Yukon Aboriginal Courtworkers: Skill Building, Self-Care and Relationship Mentoring."

These one-time costs are 100-percent recoverable from Canada. In addition, the aboriginal courtworker program will be receiving an additional \$15,000 this fiscal year as a contribution for the costs of a project entitled, "Yukon Aboriginal Courtworker Handbook." These one-time costs are again 100-percent recoverable from Canada.

The access to justice agreement, the legal aid and aboriginal courtworker programs will be receiving \$100,000 in additional funding for a program delivery. This one-time increase is once again 100-percent recoverable from Canada.

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

Chair: It has been moved by Ms. Horne that Committee of the Whole report progress.

Motion agreed to

Hon. Ms. Taylor: I move that the Speaker do now resume the Chair.

Chair: It has been moved by Ms. Taylor 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 Chair of Committee of the Whole?

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No.18, *Third Appropriation Act, 2009-10*, and directed me to report progress.

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.

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

The House adjourned at 5:30 p.m.