

Whitehorse, Yukon**Thursday, June 14, 2007 -- 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES**In remembrance of Emery Shilleto**

Hon. Mr. Hart: I am honoured to rise as a family friend and pay tribute to Mr. Emery Shilleto. Emery was a good, honest and hard-working Yukoner whom I am privileged to have known. His work ethic, friendship and sense of community has touched and left the Yukon a better place because of who he was.

When Emery was 17, he came to the Yukon from Alberta. In the 1940s and 1950s, Emery worked for the Fisher Services in Mayo, driving truck. In fact, he delivered the first load of ore concentrate from United Keno by road. He also hauled firewood, in addition to driving taxi in Mayo.

In 1952, Emery met and married Eileen Mason-Wood of Mayo. During the late 1950s, they returned to Alberta for a short period to help manage the family business. Emery and his family returned to the Yukon in 1964 to Mayo, where he worked for the Peso Mines until assuming the territorial agent and liquor vendor position in 1965, which he worked at until his retirement in October 1990.

During this period he also served as a justice of the peace and a marriage commissioner. In November of 1991, Emery accepted the appointment as Sergeant-at-Arms for the Legislative Assembly until February 2003.

Emery took great enjoyment in outdoor activities such as fishing, hunting, prospecting and, later in life, exercising his dogs on the trails in the Riverdale area. He was quietly active in supporting community events and was a member of the Lions Club in Mayo, as well as belonging to the Yukon Order of Pioneers, Dawson Lodge No. 1.

He was a good listener and provided direction and advice to those in need. He displayed a keen sense of humour, sharp wit, a great practicality and was kind and generous to all.

Emery will be truly missed by his family, friends and acquaintances, to whom he provided leadership and advice. Most of all, he will be missed for his warm and friendly smile, for which he was well known. It was an honour to have known Mr. Emery Shilleto.

Speaker: I'd also like to offer condolences to the Shilleto family on behalf of all Members of the Legislative Assembly. Mr. Shilleto served us with dignity and honour, and it was a pleasure to be around him.

Are there any further tributes?

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Hart: I'd like members and colleagues to help me recognize Blaise Shilleto and Eileen Shilleto, who are here in the House today.

Applause

Speaker: Are there any further introductions of visitors?

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang: I have for tabling the protocol regarding the Yukon government interrelations with Yukon Development Corporation.

I also have for tabling the protocol regarding the Yukon Development Corporation's role as sole shareholder of the Yukon Energy Corporation.

I also have for tabling the shareholders' letter of expectation 2007-08 between the minister and the Yukon Energy Corporation and Yukon Development Corporation.

I have for tabling the Yukon mine site reclamation and closure policy and the accompanying regulations.

Mr. Mitchell: I have for filing a document, entitled "Yukon Party repetitive practice of finger pointing instead of assuming responsibility".

I have for filing a document, entitled "Yukon Party closed media access".

I have for filing a document, entitled "Yukon Party misrepresenting the position of other parties".

Mr. McRobb: I have for filing a document, entitled "Yukon Party refusing to disclose contractual amounts".

I have for filing a document, entitled "Yukon Party refusing to respond to the essence of questions".

I also have for filing a document, entitled "Yukon Party refusing to consider a 2,517-name petition before finalizing the rate stabilization fund".

Mr. Elias: I have for tabling a document, entitled "Yukon Party politicizing tributes".

I also have for tabling a document, entitled "The Yukon Party ministers hiding behind public servants".

I also have for tabling a document, entitled "Yukon Party unnecessary repetition of speeches by ministers in budget debate".

Mr. Fairclough: I have for tabling a document, entitled "Yukon Party refusing to answer budget-related questions in budget debate".

I have for tabling a document, entitled "Yukon Party early adjournment of the House".

I have for tabling a document, entitled "Yukon Party refusing to give budget line breakdowns".

Mr. Inverarity: I have for tabling a document, entitled "Yukon Party refusing to table documents in the public interest".

I have for tabling a document, entitled "Yukon Party calling departments without briefing materials being provided".

I have a document for tabling, entitled "Yukon Party invoking a closure of private members' bills".

Hon. Mr. Kenyon: I have for tabling a document, entitled "Yukon Liberal candidates sign code of conduct".

Speaker: Are there any further returns or documents for tabling?

Are there any reports of committees?

Petitions.

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House urges the chair of the Standing Committee on Rules, Elections and Privileges, or SCREP, who is currently the Member for Klondike, to convene a meeting soon after the conclusion of the 2007 spring sitting of the Assembly, with follow-up meetings as required, to enable the committee to examine legislative reform measures without further delay and to consider near-term improvements for implementation in time for the fall 2007 sitting, such as amending the Standing Orders of the Assembly, if necessary, to achieve the following improvements, in the interests of the public, to uphold greater accountability and in the name of good governance:

(1) extending the number of sitting days each year to better reflect present-day circumstances;

(2) using fixed starting dates for sittings of the Assembly;

(3) commencing spring sittings before March 31 to avoid using special warrants;

(4) avoiding the announcement of budget items before the budget is tabled in this Assembly;

(5) requiring the disclosure of whether spending announcements made after the budget is tabled are included in the budget or in some future supplementary budget;

(6) requiring the identification of government bills to be brought forward in a sitting before the start of a sitting;

(7) reinstating the practice of providing departmental budget briefing material when briefings are held;

(8) reinstating the practice of providing community breakdowns of the budget at the budget lock-up meeting;

(9) reinstating the practice of providing briefings for supplementary budgets, if requested;

(10) avoiding the practice of calling departments for debate before responses to information requests have been provided, at least a day in advance;

(11) avoiding the practice of refusing to give breakdowns for budget items during budget debate;

(12) avoiding the practice of refusing to answer budget-related questions during budget debate;

avoiding the practice of switching the order of debate without prior notice;

(14) avoiding the practice of not tabling reports by their required dates;

(15) avoiding the practice of refusing to table reports that are in the public interest;

(16) avoiding the practice of refusing to provide cost estimates for government projects;

(17) avoiding the practice of refusing to disclose expenditures for government contracts;

(18) avoiding the practice of invoking closure on private members' bills;

(19) avoiding the practice of politicizing tributes and responses to petitions;

(20) avoiding the practice of refusing to provide legislative returns when questions cannot be answered;

(21) requiring responses to budget questions to be relevant to the question and informative;

(22) requiring the disclosure of the topic of a ministerial statement at the day's House leaders' meeting;

(23) requiring the government to first respond to petitions presented on behalf of the public before the decision is made on the matter identified in the petition;

(24) avoiding the inaccurate representation of the position of other parties in this Assembly;

(25) avoiding the repetitive practice of finger pointing instead of assuming responsibility;

(26) avoiding the practice of failing to respond to the essence of questions;

(27) avoiding the practice of not informing the House when a minister has a conflict of interest on any matters falling within the jurisdiction of that minister; and

(28) providing greater clarification of language and terminology disallowed in this Assembly.

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

THAT this House urges the Government of Yukon to

(1) immediately release the report of the North Yukon Planning Commission as presented to the government prior to announcing the government's response to its recommendations; and

(2) in all future reports commissioned at public expense, to adopt a policy of immediately releasing the report as presented by the author and then providing the government's response.

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

THAT this House urges the Government of Yukon to take a step toward making the Yukon a carbon-neutral territory by working to become a government that is carbon neutral and to offset greenhouse gas emissions in all government programs and projects by

(1) creating an inventory of emissions;

(2) reducing those emissions wherever possible;

(3) purchasing carbon offsets to mitigate any emissions that remain; and

(4) establishing a non-governmental organization that manages and monitors the Yukon carbon-banking system.

Speaker: Are there any further notices of motion? Statements by ministers.
This then brings us to Question Period.

QUESTION PERIOD

Question re: School construction planning

Mr. Fairclough: My question is to the Minister of Education. I must point out that my question is only a draft copy, but I'll put it before the House anyway. Yesterday, the minister denied having a copy of the Hold Fast report. The contractor in question said he gave the report to the government on May 23. The contractor said it was a final report. He said he has not been contacted to do any revisions to the report since that time. Now, that was over three weeks ago. Since this matter has been raised in the House earlier in the session and since it was dealt with as a matter of great concern for many Whitehorse residents, I am confident that the department officials treated this report seriously and gave it to the minister.

Has the minister read or had read to him, or otherwise discussed, this report with any of his officials?

Hon. Mr. Rouble: In order to expedite the time in this Assembly, I will refer the member opposite to my answer yesterday, where I answered the question then. If he has a new question -- one that is relevant to Yukoners -- I would encourage him to ask it.

Mr. Fairclough: I know the minister is bothered by these questions but he still has a duty to the public to answer questions in this House.

The minister says he does not have the report, and no one believes him any more.

The contractor flat-out contradicted the minister's story. This government is on record as saying the issue surrounding Whitehorse schools was too important not to be dealt with properly. The government hired a contractor for over \$79,000 to do an arm's-length assessment. The interim report was received and I assume fine-tuning of that report took place.

A final report is in place, Mr. Speaker. If the department is now editing the report, then the arm's-length aspect is gone. If it is not being edited, then it should be tabled. Yukoners paid close to \$80,000 for this report. Will the minister table the final report?

Hon. Mr. Rouble: I previously answered the member opposite's question.

I think Yukoners can tell an awful lot about the people in this Assembly by the questions they ask and what they don't ask. The opposition has asked me a lot of questions, which I've answered. They've asked questions about the installation of plywood. They've asked why a meeting was scheduled for a Friday afternoon. They've asked questions about a personnel matter.

What they haven't asked me is: what is the Department of Education doing to improve the quality of education for Yukon's youth? I think that's an important, pertinent question that the opposition hasn't got around to asking yet.

Mr. Fairclough: This is becoming more and more unbelievable. It was unbelievable right from the start. This minis-

ter appears to know nothing about what is happening in his department, and he is responsible for that department in this Legislature.

We do have a responsible government. Yukoners deserve to see the report they paid for. They deserve to have a minister in whom they can have confidence. They need to know that this department does more than contract reports and then sit on the findings. The contractor told the media that the report is no longer being worked on and that he has been compensated for the full amount of the contract. The minister has a duty and an obligation to answer to the citizens.

Will the minister table the final report, as received from the contractor, as well as any edited versions that his department has made to the original report?

Hon. Mr. Rouble: Yes, Mr. Speaker, I will deliver the final report when it's final.

Education is an incredibly important part of Yukoners' lives; it's an incredibly important part of this government. And what is incredibly important is having a vision for education.

Now, I do realize that it was a breach of normal procedure with the opposition, but when I brought forward the debate or the idea of discussing the vision for education, the member opposite criticized me for having the audacity to come out on the floor of the Assembly and discuss a vision for education and the goals.

Now, Mr. Speaker, I realize that the orientation of plywood is important to the member opposite. I realize that how the siding is going to be painted is important to the member opposite. But I think what's important to Yukoners are the details behind how the \$125-million Education budget is being spent. I think what's important to Yukoners is that they know we are maintaining one of the best teacher-student ratios in Canada. I think Yukoners want to know what we're doing to promote literacy and to help Yukoners read. I think Yukoners want to know what we're doing to change how we teach people in order to help Yukoners learn better. Those are the important issues for Yukoners, and that's what I hope the members opposite would focus on.

Question re: Education reform

Mr. Fairclough: Mr. Speaker, the first phase of the education reform project is drawing to a close. The second phase, consisting of public consultation, will start in September, or at least it should.

Now, Mr. Speaker, I am on record as having concerns over this project. Political interference by the Premier has certainly jeopardized what this report was set out to do. Both the original chairs will be gone and not available to lead the consultation process. The departure of the second chair is a significant loss for this project and for education and for Yukon.

The education reform project has indicated the final report will be done by the end of July. Will the minister make this final report public?

Hon. Mr. Rouble: Education and reforming education to ensure it serves the needs of Yukoners is this government's utmost priority. We are committed to working with all our partners in education to ensure we have an education system that meets the needs of Yukoners today and into the future. We

are committed to changing our curriculum to better reflect the culture and the content that people need. We are committed to changing how we teach people in order to help them learn better, and we are committed to working with our partners in education to go forward so that Yukoners going through our education system now can embrace a great tomorrow.

Mr. Fairclough: The issue of governance has been a focal point of this project since day one. The public and the co-chairs recognize that. In fact, most people say it was a primary reason for having this project in the first place.

Everyone agreed -- everyone except the Premier. He obviously doesn't share with Yukoners a belief that they should have a say in their children's education.

Mr. Speaker, I hope the education reform project team will not be intimidated by the Premier and I hope they will include recommendations they have on the governance issue.

Assuming this, will the minister actually release the final report? Will the minister assure the House that he will release the report before the next sitting of this Legislature and that it will contain all recommendations, unchanged from their original form?

Hon. Mr. Rouble: I think we've all seen how the Liberal Party wants to make decisions. They want to make decisions based on half-done reports, half-gathered information and half-gathered misinformation. That's not how we're going to do it.

We made a commitment to work with Yukoners, to work with our partners in education, to go out and do a reform project, and we're going to listen to them. We're going to listen to Yukoners before we take a position. We're going to involve Yukoners before we make recommendations. That's the whole point and the whole objective of the education reform project: how do we work with all Yukoners, unlike the members of the opposition, to make the system better to meet the needs of the kids.

Mr. Fairclough: Well, Mr. Speaker, it's that minister and that government that want to edit final reports before they go to the public. Now I want the record to show that the Official Opposition has concerns over the fate of this report. We're concerned that both chairs will no longer be associated with the consultation and implementation of this report. We are concerned that this report may never see the light of day. We are concerned about the meddling of the Premier. We are concerned about the level of frustration being expressed by First Nations and non-First Nations with the education system in the territory. We are concerned that this is just another minister in a do-nothing government. We need a very clear and strong commitment from this minister, and it is a damage-control opportunity for the minister, in dire need of a healthy serving.

Will the minister commit to deliver this report to the public on or before September 30, and will he ensure the report will be an unedited report of the education reform project team -- unedited?

Hon. Mr. Rouble: Mr. Speaker, I can tell you that this side of the House is very concerned about the questions coming from the opposition. Again, not once this session has the Liberal Party asked a question about the outcomes of education.

Have they asked a question about how our kids are doing in school? Have they asked a question about the quality of education in our institutions? No, they haven't. Have they asked a question about the system that is important? Have they even entered into a debate on a vision for education? No, they haven't. They are devoid of a vision for education. They are devoid of coming up with constructive input in this system, and they'd rather ask questions about how to place good one-side plywood.

Question re: Thomson Centre, future use

Mr. Hardy: Now that the Whitehorse Hospital has decided to set up a task force to deal with a range of issues at the hospital, I have a question for the minister. The task force has not yet been named and does not have a mandate in place. In reality, it could take a considerable amount of time for the task force to do its job. What steps is the minister taking to ensure the board has the resources it needs to address the current difficulties at the hospital in the short term, and ensure that those challenges do not have a negative effect on the Yukon's health care system or the ability of health care providers to do their jobs?

Hon. Mr. Cathers: I think I can provide some comfort to the Leader of the Third Party in this. The task force he's referring to is a group put together under the auspices of the board, looking primarily at issues such as nurses and how the basic operations are dealt with, including the structure of which roles work in which areas. They're primarily operational matters, issues of the total level of staffing, and addressing those issues. These haven't been given a thorough review in a long time.

We recognize there are some concerns related to that and a number of different perspectives, and that's why the board is doing that work.

At this point, they are just structuring that group. If there is a need for resources, I am confident the board will identify that to me and the government will assist them, as needed, to do the work that must be done.

Mr. Hardy: I'm not pointing fingers at any individuals who aren't here to defend themselves. I'm not asking the minister to interfere in the role of the hospital board or its administration. I'm not asking him to engage in collective bargaining on the floor of the House.

Having said that, there are issues that need to be addressed. For instance, when I met with the hospital board last year -- it was actually over a year ago -- a big concern for them was the question of who owns the Thomson Centre and who decides how it should be used. Apparently there were two quite distinct views on that.

Will the minister undertake to sit down with the board and clarify that issue once and for all, and will he inform the Yukon people exactly what the status of that facility is?

Hon. Mr. Cathers: I recognize that there is a differing opinion related to the Thomson Centre, but the fact is that it has always been an asset on the Yukon government's books. The ownership has always been under the Yukon government.

As far as sitting down with the board to clarify that, I did so in February of last year and clearly articulated to them that,

while we would work with them in that area, it was the Yukon government's facility. I would also make the member aware that, contrary to assertions by some in the media, prior to the announcement of the end use of the Thomson Centre, calls were made to the chair and CEO of the hospital respectively to let them know what we had done further to our previous discussions. They were aware at the February meeting with the entire board, to which I referred, of the fact that we were looking very strongly at the usage of it possibly for continuing care and would be acting on the basis of the report we had done by Options Consulting on the most appropriate usage for that facility.

Mr. Hardy: I remember there was confusion over who owns the land and who owns the assets on the land. That has still not been straightened out as far as I can understand.

We are aware that the government made a significant financial contribution to help resolve the hospital's pension issue. However, there may be other areas where the hospital's financial situation is having a negative impact on the staff morale and on the hospital's ability to meet staffing and other resource needs. I'm not looking for someone to blame. I'm only interested in finding the solution in this matter.

Is the minister prepared to loosen up the purse strings and increase the hospital's operating grant if the board or the new taskforce says that it's needed?

Hon. Mr. Cathers: First, in responding, let me thank the Leader of the Third Party for the very different approach that he is taking, contrary to the approach by the Official Opposition Liberals, which is focused very much on personal attacks. I thank the Member for Whitehorse Centre for asking his questions and relaying his concerns in a constructive manner.

I am happy to inform him in this area. As I mentioned before, under this government's watch, we increased the resources -- the base operating grant to the hospital -- by some 25 per cent, to a total base level of \$25 million. Added to by one-time contributions and funding to the pension last year, our total contribution to the hospital was \$32 million in operation and maintenance alone.

We have already acted to increase it. I have relayed to the board, and will do so again, as always, that we recognize there are increasing costs, pressures, et cetera, in this area, and if those come up, I am committed to working them through the approval process I must go through with Management Board prior to giving any increases.

Identifying issues related to staffing is one I have laid out specifically to the chair of the board when we talked about forming this working group. If decisions are being made solely based on financial considerations with regard to staffing, identify those to us, identify the appropriate solution, and we will act as needed and work with you.

Question re: Non-governmental organizations funding

Mr. Hardy: This government's platform in the last election stated they would secure funding for NGOs dealing with youth, and that they would enhance programs for the homeless. Will the minister update us on the government's progress on these two promises?

Hon. Mr. Cathers: The funding for youth specifically is primarily through the Premier, as minister responsible for the Executive Council Office, which contains the Youth Directorate. With regard to the issue of youth homelessness, I think what the member is referring to is a project that is currently being proposed by the Whitehorse Youth Coalition. That is something they brought forward. There are issues with the recommendations, which have been proposed as final recommendations. What we have identified to them is the fact that First Nations were not actively involved in that development and expressed concern related to that.

As well, other related service NGOs expressed concern about not being involved in that process. We recognize there is some merit to it. We want to quantify the extent of the problem and involve other related NGOs and, importantly, First Nation governments, in considering what needs there are in that area. So that work is ongoing.

Mr. Hardy: Six weeks ago I asked the minister what he was going to do about homeless youth. Six weeks before that, yet another study was completed on this, called *More than a Roof*. A total of four studies in recent years have been paid for by one government or another on what to do about a youth shelter. In reply to my question six weeks ago, the minister agreed that the background work had been done, but there were concerns that needed to be ironed out, including the need to consult First Nations, as he has just mentioned again.

Six weeks have gone by. Will the minister tell us the results of his consultations with First Nations on moving on with this desperate need?

Hon. Mr. Cathers: Again I have to point out to the member that, first of all, he has to recognize -- or I would urge him to recognize -- that in the government process, six weeks, when you're dealing with other governments, NGOs, et cetera, is not as long a time as the member might cast it to be.

I have been very tied up, of course, with this Assembly and with answering questions from the members opposite during this period we've been in. I will have more time to work on these issues throughout the summer, once we get out of here.

But I would point out that, again, I have to identify to the member that there were some very valuable perspectives and some very positive suggestions, but the work had not been fully completed.

What we are working on and what my department is working on with the Whitehorse Youth Coalition, which brought forward this *More than a Roof* report, and with NGOs and First Nations is putting together the structure for going and determining the extent of youth homelessness. This is one thing that was not done in the report. It was primarily anecdotal. It did not identify the total extent of the problem, and any shelter, I hope the member recognizes, to address youth homelessness must consider the total number of people who will be forced to rely on it.

Mr. Hardy: Mr. Speaker, we have brought the concerns of homeless youth to this Assembly with motions and questions time after time, year after year. Still, our homeless youth have been exposed to physical violence, sexual violence, alcohol and drug abuse, and are turning to crime, at times, in a

struggle to survive on the street -- and other things that we aren't even aware of.

I'm embarrassed for this government to have to bring this up again. Tonight there is a call to action from the Whitehorse Youth Coalition, with a town hall meeting. Will the minister be attending that meeting and, if so, will he be prepared to offer funding to the coalition so we can finally do something concrete about this disgraceful situation?

Hon. Mr. Cathers: I thank the member for his question and I do appreciate his concern but, again, we have to first do the work to identify the extent of this problem and work with related service NGOs that expressed concern about not being involved in the development of this proposal by the group that put the proposal together. Those NGOs have to be involved to identify that services are dealt with in a manner that provides a continuum, not a conflict, and doesn't create problems for others.

Their experience is very valuable in this area. The fact that First Nations identified a concern with the way it had been done and the fact they were not involved is of concern to us. We are working with them, the department will work with them, and we will work together to figure out the most appropriate way to quantify the problem and identify the necessary solutions.

We are working productively.

As far as the meeting, no, I have already sent directly to the individual who organized the meeting my regrets, as I do have a prior commitment this evening, but we look forward to hearing the results of that discussion.

As I identified to the member, we are working with them and are working productively, but we have to do the work to ensure decisions are made based on the necessary information that is currently being developed.

Question re: Paulsen case appeal

Mr. Mitchell: The Premier made a political decision last week to appeal a ruling by the Yukon Supreme Court in a case involving a land application near Carmacks. In announcing that the government was going to appeal, the Premier has tried to claim the government is obligated to do so. Of course, that is not the case at all. The government has chosen to appeal; they are not obligated to appeal.

We have taken a different approach. We do not believe taking First Nations to court is the right approach. We would rather negotiate than litigate. The Premier wants a fight and has picked one. Why did this government choose confrontation in court instead of consultation with the First Nation?

Hon. Mr. Fentie: I have for tabling a document, which is the how-to manual on the responsibility of public government. Having said that, I can't even fathom how this Leader of the Official Opposition, reportedly a leader for the territory, can stand up and say a political decision was made on a matter of justice. Has the member missed something here when it comes to justice and its fundamental principles and elements?

The decision that has been made is with respect to the public interest. Given the facts in the matter, ensuring that we clarify the final agreements for both First Nations and the public here in the Yukon, and with legal advice, which the members

opposite did not solicit -- they got their counsel from an editorial in the *Yukon News* -- we chose to go to experts who provided us some insights to help us make an informed decision. It's based on our responsibility to the public and an informed decision based on all available expertise that could be provided for us, to guide and counsel what this decision is all about, and we have proceeded.

By the way, Mr. Speaker, that is called due process. Justice and the appeal process are to ensure justice can scrutinize itself.

Mr. Mitchell: The Premier can try to dress this up any way he chooses, but it is a political decision and a very divisive one at that. The judge said the Yukon Party government conducted only courtesy consultations. The Premier can't accept that. He would rather take the First Nation back to court. He wants to litigate, not negotiate. It's a very us-against-them way to run the government and it sends, as the Chief of the Kwanlin Dun said, a very strong message they don't agree with real consultation with First Nations, as outlined by the courts, which is the rule of the land.

If the Premier is so excited about all these legal opinions he has, maybe he would like to table them.

Will the minister simply admit that he has chosen a more confrontational approach and admit it was his choice and not some obligation, as he claims?

Hon. Mr. Fentie: Let's get into the admitting part, Mr. Speaker. First, I'll answer the question in a blunt manner. We are obligated to appeal this decision and that's exactly what's happening, because we place a great deal of emphasis on the public interest and that's the responsibility we bear. Let's start talking about admitting.

Will the members opposite, led by their leader, admit to this House and the Yukon public that they have placed incorrect information on the public record? Will the Leader of the Official Opposition admit to that? I'm asking the Leader of the Official Opposition to re-establish some shred of credibility for the Official Opposition in this House.

Question re: Climate change action plan

Mr. Elias: It has been interesting to watch the Yukon Party scramble aboard the climate change train. Only a few short years ago, the former Leader of the Yukon Party was denying the link between burning fossil fuels and climate change. In the last few months, the government has started to talk about climate change. However, they continue to do very little.

The Premier has made much of the forum on the environment that he held earlier this year. If this meeting was so important, I'm sure a final report was produced and a number of recommendations were made.

Will the minister table any recommendations or a report that were produced from this conference?

Hon. Mr. Fentie: I'm going to have to take issue with the preamble in this regard. It's this government that many months ago proceeded -- far in advance of even our own federal government -- with a climate change strategy. That said, once again the members opposite are demonstrating something that is in direct contradiction to what they tabled earlier in this afternoon's sitting, in pointing the finger at this side of the House.

The Member for Vuntut Gwitchin knows that the first-ever Yukon Forum was a step that is leading us toward where we are at today. We're conducting workshops with the implementation plan -- the strategic implementation plan for the climate change strategy. The member knows that now that we've gone from the development of a strategy and our work on implementation, we've also connected this pan-northern accord with our sister territories to ensure that part of our collective vision is placing a major emphasis on climate change because of the impacts that we in the north are experiencing.

In the spirit of being constructive, I would point out to the member opposite that the government side is busy working on climate change; the Official Opposition is still talking about what it is.

Mr. Elias: The Yukon Party spent its first term in office denying that climate change was even an issue. The former Leader of the Yukon Party was busy tabling motions in this House, calling on the Yukon to abandon the Kyoto Accord. The current minister has refused to attend national meetings on climate change. He has refused to go to Washington and lobby for the permanent protection of the Porcupine caribou herd. He has refused to bring forward the state of the environment report, something he is required to do by law. He seems quite comfortable ignoring this law.

This minister's words are simply not backed up by action.

Speaker's statement

Speaker: Order. Sit down. It's out of order to presume that any Member of this Legislative Assembly is ignoring the law. We're all here to serve the law, so I ask the honourable member not to say that. You have the floor, Member for Vuntut Gwitchin.

Mr. Elias: We will be back in this Chamber in October or November this year. Will the Premier prove that he takes this issue seriously? Will he commit today that, when we reconvene in a few months' time, there will be a climate change action plan in place?

Hon. Mr. Fentie: I would counter by saying, will the Official Opposition please come back in October and prove they are here to represent the public that elected them and the public they're here to serve?

Speaker's statement

Speaker: Order. We're going to go through this again. It's inappropriate for any member to say that a member is representing anything other than the best interest of their constituents. So, Hon. Premier, please don't do that.

Hon. Mr. Fentie: I agree; we have to represent the best interests of our constituents.

We have a climate change action plan; it's being implemented. The Official Opposition may not agree with it; that's their business and their opinion; but I would say the constructive thing to do in representing our constituents is to have the Official Opposition join in the efforts of all Yukoners, First Nations, stakeholders, conservationists, environmentalists, experts, scientists, departments -- all of them -- to ensure our cli-

mate change strategy will be effective and responsive to our needs in the Yukon.

Mr. Elias: Mr. Speaker, the Yukon Party's election campaign pillars are crumbling beneath them. In an attempt to work their way out of the rubble, the Premier's only recourse is to try to damage our credibility when we have done nothing more than hold this government to account, and they simply don't like it.

I'll put the Premier on notice: every single Yukoner, NGO, business, municipality, government, industry or board that comes to the Official Opposition and demonstrates that they need an issue represented or that they have been treated unfairly by this Yukon Party government, please expect us to hold this government to account every single time, because Yukoners deserve nothing less. Will this minister stand up and fight for the environment and Yukoners' place in it?

Hon. Mr. Fentie: Mr. Speaker, I am so glad that the Member for Vuntut Gwitchin brought this up. So let me just take us back a couple of days. Is the member suggesting that a statement in *Hansard* -- and I will quote his leader, the Leader of the Official Opposition -- of this nature that's made is representing the public? "Before the job could be offered to the top candidate, the chair of the board, who happens to be the former Yukon Party campaign manager intervened and selected the person who is now the CEO." The members opposite know that that never happened.

So I have a question for the members opposite. Will the Leader of the Official Opposition do the honourable and right thing? Stand on his feet, apologize to the House for that statement, apologize to the CEO for that statement, apologize to the chair of the board for that statement, apologize to the senior citizen they involved in this sham, and apologize for that statement to Yukoners and correct the public record? That's representation.

Speaker: Time for Question Period has now elapsed. We'll proceed to Orders of the Day.

ORDERS OF THE DAY

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

Motion agreed to

COMMITTEE OF THE WHOLE

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

Do members wish to take a brief recess before we continue?

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.

Chair's ruling

Chair: Order please. Before we continue with Committee of the Whole, the Chair will rule on a point of order raised yesterday by Mr. Rouble.

Toward the end of yesterday's proceedings, Mr. Rouble alerted the Committee to the fact that Mr. McRobb was holding a recording device in his hand during the course of a speech. Mr. Rouble wondered if Mr. McRobb was intending to take photographs in the Chamber.

Members recall that yesterday, during tributes, the former Clerk was granted permission to address the Assembly. This had never happened before and the Speaker granted Mr. McRobb permission to record the event from his desk. The Chair has no reason to believe that Mr. McRobb used his recording device during Committee of the Whole. The Chair therefore rules that there is no point of order; however, the issue deserves further comment.

As Mr. Rouble pointed out, Mr. McRobb had previously raised a point of order when he noticed an individual with a recording device in the public gallery. Members, and others, should be aware that one of the fundamental parliamentary privileges is the right of the Assembly to control how its proceedings are recorded and how those recordings are distributed. Any unauthorized recording of the House or Committee proceedings could give rise to a question of privilege.

Bill No. 32 -- *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act*

Chair: Committee of the Whole will now deal with Bill No. 32, *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act*.

Hon. Mr. Hart: In order to provide the Office of the Ombudsman staff access to group insurance benefits, amendments to the *Ombudsman Act* and the *Public Service Group Insurance Benefit Plan Act* are required. Currently, the employee of the Office of the Ombudsman does not have access to group insurance benefits governed by this act; however, others such as Cabinet and caucus staff do have access to insurance benefits governed by the act.

The Members' Services Board, the board responsible for approving the Ombudsman's annual budget, recommended that the Ombudsman request be vetted through the Joint Management Committee. These changes are supported by the committee, which is responsible for the administration of group insurance benefits as per *Public Service Group Insurance Benefit Plan Act*, minute 05-05-04.

The committee is comprised of representatives of the public service, the bargaining units, which includes PSAC and YTA, managerial employees and confidential employees. Legislation is being amended to provide access to the employees of the Ombudsman and not the Ombudsman herself.

Mr. Mitchell: The Official Opposition certainly recognizes the important work done by the Office of the Ombudsman and the Information and Privacy Commissioner. That this was not done initially, we think was obviously an oversight. This is simply a good piece of legislation that will give the proper coverage, similar to all other government employ-

ees, recognizing that that office is not government but nevertheless extending similar benefits. We strongly support this legislation for accomplishing that.

Mr. Cardiff: On behalf of the third party, I would like to express our support for the *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act*.

I think it's important that employees serving in any capacity, in any sector, are entitled to adequate compensation, pay, benefits, pensions and the like. This minor change to both of these acts will allow that to happen for this group of employees. We support that and look forward to its speedy passage.

INTRODUCTION OF VISITORS

Hon. Mr. Rouble: Mr. Chair, I would ask the House's indulgence to allow me the opportunity to introduce two guests with us in the gallery today. Joining us today are my wife Sophie, and my mother-in-law Margaret. Welcome.

Applause

Chair: Is there any further debate? Seeing none, we'll proceed clause by clause.

Mr. Cardiff: Mr. Chair, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 32 read and agreed to.

Unanimous consent re deeming all clauses and title of Bill No. 32 read and agreed to

Chair: Mr. Cardiff has requested the unanimous consent of the Committee that all clauses and the title of Bill No. 32, entitled *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act* be deemed to be read and agreed to.

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

*Clauses 1 to 3 deemed read and agreed to
Title agreed to*

Hon. Mr. Hart: I move that Bill No. 32 be reported without amendment.

Chair: It has been moved by Mr. Hart that Bill No. 32, entitled *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act*, be reported without amendment.

Motion agreed to

Chair: Committee of the Whole will now deal with Bill No. 33, *Act to Amend the Waters Act*.

Some Hon. Member: (Inaudible)

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 33 -- Act to Amend the Waters Act

Chair: The Committee will now deal with Bill No. 33, *Act to Amend the Waters Act*.

Hon. Mr. Fentie: I will be very brief in my comments. We did have a discussion on this matter in second reading. I will just touch on the impetus for this amendment.

As we all know, the *Waters Act* currently requires that public notices for applications and hearings be published in the Yukon Gazette. This can cause delays, Mr. Chair, because the Gazette publishes only once per month and, in addition, the Gazette has a limited reach to people in our communities compared to newspapers in the territory. Therefore, with all that's available to government to disseminate information into the public domain, we are making this very benign amendment to the *Waters Act* to be able to increase our capacity in providing information to the public with respect to publications that fall under the *Waters Act*.

Mr. Mitchell: I will be equally brief. As the Premier has stated, this has been adequately discussed before. Our waters are important to all Yukoners so it is crucial that, when any application comes forward that may affect them -- anything having to do with the *Waters Act* -- the information be as widely disseminated as possible. This will improve that.

We're always happy to see the Government of Yukon being forthcoming with information through newspapers so that it's widely available to Yukoners, and we are happy to see them taking that approach. We will support this.

Mr. Cardiff: We in the third party also recognize the need to get this information out on a timely basis to all Yukoners and we'll be supporting this. I think that if there's one thing that we recognize -- and hopefully we all recognize it here in the Yukon -- it's that our resources are a precious asset to the Yukon, whether it be the land, forest, wildlife or water. Water is one of the essential, central things, and when we're making decisions about the use of water and when the Water Board is making those decisions, we need to involve as many people as possible, so getting that information out and widely disseminating it to the public so they can participate in these processes is very important. We will be supporting the bill.

Thank you.

Mr. Mitchell: I would request the unanimous consent of the Committee to deem all clauses, and the title of Bill No. 33, *Act to Amend the Waters Act*, read and agreed to.

Unanimous consent re deeming all clauses and title of Bill No. 33 read and agreed to

Chair: Mr. Mitchell has requested the unanimous consent of the Committee to deem all clauses and the title of Bill No. 33, *Act to Amend the Waters Act*, read and agreed to. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 1 and 2 deemed read and agreed to

On Title

Title agreed to

Hon. Mr. Fentie: Mr. Chair, I move that you report Bill No. 33, entitled *Act to Amend the Waters Act*, without amendment.

Chair: It has been moved that Bill No. 33, entitled *Act to Amend the Waters Act*, be reported without amendment. Are you agreed?

Motion agreed to

Bill No. 34 -- Act to Amend the Liquor Act

Chair: Committee of the Whole will now deal with Bill No. 34, *Act to Amend the Liquor Act*.

Hon. Mr. Kenyon: I'll be very brief. Bill No. 34 is a benign amendment. The original act used the term "brewery" or "brewing licence". This act changes it to "manufacturer", which will allow wineries -- particularly berry wineries in this climate. It will also allow for the distillation of spirits, which could include the production of Yukon Hootch in the Yukon, finally. It could also produce something for the Member for Porter Creek Centre, given his interests -- we could produce scotch within the Yukon. We could also produce vodka and allow an outlet for potatoes. The agricultural industry has a great interest in that. It has been deemed as one of our most successful crops and there is a potential for money-making crops for the agriculture sector.

It also allows for the production of liqueurs. We've already had interest from coffee roasters to produce coffee liqueurs, berry liqueurs, et cetera. These would all primarily be aimed at tourism markets and would allow more business development in the area.

Again, it's a very benign amendment that simply changes the word "brewer" to "manufacturer".

Mr. Fairclough: We in the Official Opposition do support this amendment to the *Liquor Act*, and we support small business and look forward to seeing what they can produce here in the territory. Although, we would like to see the minister in the future bring forward amendments to the *Liquor Act* that are broad and that address all the issues that have been raised in the past, because there are many. The public has spoken out on it. I give that direction to the minister to bring forward major amendments to the *Liquor Act*, as the public consultation identified.

Thank you. I will be supporting this bill.

Mr. Cardiff: We, too, in the third party, will be supporting Bill No. 34, *Act to Amend the Liquor Act*. We support the development of small business and the improvement of our economy. I believe there are some opportunities out there for small business to take up some of the enterprises that this amendment to the *Liquor Act* will allow.

I, too, would like to go on record with something that has been raised previously, probably over the past five years. It is interesting that a major consultation was done around the territory with regard to the *Liquor Act*. They travelled around Yukon and gathered input from Yukon citizens on needed changes to the *Liquor Act*, to improve how the government procures, distributes and deals with liquor here in the territory.

I think it's very important -- given the statistics that we've heard about liquor consumption and the problems we have here in the territory, the lack of treatment for people with alcohol and drug addictions -- that we take a lot of those recommendations to heart and that we act on them. It's unfortunate that after that consultation, when we raised that issue in the Legislature

here -- it would be five years ago when I first raised that issue - I believe it was an acting minister responsible for the Liquor Corporation who responded that those changes and the *Liquor Act* were not a priority of the government.

But what we have here is a minor amendment that, while we can agree with it, falls far short of what could be done and it doesn't take into consideration the recommendations of a commission that travelled throughout the Yukon, gathered information from the public and reported to the Legislative Assembly and to the government on its recommended changes. While some of them have been brought about through policy changes, there are still legislative changes that are needed.

So we will be supporting the bill, but we look forward to the government also bringing in other changes to the *Liquor Act* in the near future.

Hon. Mr. Kenyon: I certainly take the comments of the members opposite to heart. While I do have reservations about some of the comments on consumption from the opposition during Question Periods, when we really do look at this as an example, the City of Dawson has 450 percent more in terms of weight delivered in the month of July as it does in the month of December. So short of heavier glass during those months, or heavy water, I think it's clear that much of the criticism is unfounded.

In fact, studies have clearly shown that Yukoners consume alcohol on a par with the rest of the country.

I do thank them for the support of this benign amendment. I take their comments to heart and am very pleased to hear both members opposite praise the validity and importance of the consultation that was done years ago.

Chair: Is there any further general debate?

Hon. Mr. Kenyon: I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 34, read and agreed to.

Unanimous consent re deeming all clauses and title of Bill No. 34 read and agreed to

Chair: Mr. Kenyon has requested unanimous consent to deem all clauses and the title of Bill No. 34 read and agreed to.

All Hon. Members: Agreed.

Chair: There is unanimous consent.

Clauses 1 to 4 deemed read and agreed to

On Title

Title agreed to

Hon. Mr. Kenyon: Mr. Chair, I move that Bill No. 34, entitled *Act to Amend the Liquor Act*, be reported without amendment.

Chair: It has been moved by Mr. Kenyon that Bill No. 34, entitled *Act to Amend the Liquor Act*, be reported without amendment.

Motion agreed to

Bill No. 6 -- First Appropriation Act, 2007-08 -- continued

Department of Energy, Mines and Resources -- continued

Chair: Committee of the Whole will now consider Bill No. 6. We will continue with general debate on Energy, Mines and Resources.

Hon. Mr. Lang: It is my pleasure to continue this discussion on the main budget for Energy, Mines and Resources. This department's mandate is to responsibly manage and support the sustainable development of Yukon's energy and natural resources.

Energy, Mines and Resources continues to make progress in fulfilling this mandate and supporting the government's commitment to foster a diversified economy.

Highlights of key initiatives for the 2007-08 year include completing the implementation of the new placer regime, in partnership with First Nations and the federal government, and supporting the work to have an acceptable, recommended north Yukon land use plan presented to this government by the fall for our review.

Highlights also include implementing the Alaska Highway pipeline strategic action plan; completing the 2007 request for posting and proceeding with a call for bids for oil and gas exploration; ensuring Minto mine approvals are completed in time for start-up early this summer; identifying ways for Yukon to provide production-focused incentives to the mineral industry; concluding the request-for-proposal process for wood fabric in southwest Yukon; having the forest management plan for southeast Yukon recommended to government for approval and implementation by the fall of 2007; continuing to ensure that land is available for community, residential, recreational, agricultural, commercial and industrial purposes; and ensuring that the Yukon geoscience database and the overall acknowledgement and awareness of our resource potential is second to none in Canada by continuing the work of the Yukon Geological Survey.

Highlights also include working with Canada and First Nations to identify a preferred option for the closure of the Faro mine site; advancing the Yukon Energy Corporation framework strategy; delivering a broad range of energy efficiency and renewable energy programs through the Energy Solutions Centre; identifying an appropriate governance model for YDC and YEC; and working with other government departments on corporate objectives such as the climate change implementation plan, mine project facilitation and capacity building.

We are pleased that the estimated mineral exploration and development expenditure for the 2007 season will total approximately \$175 million.

In all the resource areas, we will pursue ways to make First Nations full partners in resource management and development in the Yukon. This year, we will continue to implement the Minto mine MOU with the Selkirk First Nation, which helps govern the operation of the Sherwood mine on settlement land; support the Aboriginal Pipeline Coalition; work with First Nations in Teslin, Watson Lake, Ross River, Dawson, and Haines Junction to complete and implement strategic forest management plans; identify the training needs of First Nations to assist them in maximizing business and employment opportunities for First Nation members and corporations in relation to care and maintenance activities at abandoned type 2 mines; and

work in partnership in northern strategic projects such as developing the Teslin cottage lots and building forestry roads in southwest Yukon.

I would like to provide some further comments on the development of the comprehensive energy strategy. The Yukon government has initiated the work required to develop a comprehensive Yukon energy strategy. There will be several opportunities for stakeholders and the public to provide input into the Yukon energy strategy, and these will not occur during this summer.

Here is the proposed schedule for the development of the energy strategy. Over the next month, the government will be having an informal dialogue with stakeholders and other governments to identify what they think the key Yukon energy issues are and what topics could be included in the strategy. From these discussions, we will develop a brief "What We Heard" report.

In the fall, we will hold a workshop to identify the strengths, weaknesses, opportunities and threats for the energy sector. This process will help us identify policy gaps and key principles and action priorities for the strategy. Once this is completed, the department will prepare a draft Yukon energy strategy. Broad public consultation will occur on the draft Yukon energy strategy during the winter of 2008. It is anticipated the Yukon energy strategy will be finalized in the spring of 2008.

We expect the strategy will address a wide range of energy issues, including energy management, supply, demand, security, affordability, energy efficiency, renewable energy, reduction of greenhouse gas emissions and energy partnerships, but we want to talk to people and obtain their input. I look forward to hearing from Yukon on this important initiative.

This concludes the introductory comments for the main estimates for the Department of Energy, Mines and Resources.

Mr. Cardiff: I do have a few questions for the minister. I thank him for keeping those comments brief. The minister made a commitment earlier on in the legislative sitting to the Leader of the Third Party to provide the Sherwood Copper reclamation plan. I notice that the minister tabled earlier today the policy for the government, but the minister committed to providing a copy of the Sherwood Copper reclamation plan. So, I'd like to know if he's going to -- it's the last day of the sitting and we'd like to know when we would get that.

The other question related to the same topic is what kind of security has been provided and where is that security located to ensure that, when mining operations on this property wind down, the money will be there to ensure that this land is reclaimed and put back to a state that's acceptable to the public, but especially to the Selkirk First Nation, because this is on their traditional territory and it needs to be acceptable to them. The mining company is only borrowing the land; it's still the traditional territory of the Selkirk First Nation so, when it's reclaimed, it has to be acceptable to them. There needs to be security in place to ensure that work is done. Otherwise, we end up in the same situation that we are with type 2 mine sites right now, where the government is going to be on the hook.

I'm looking for the plan and I'm looking for the security that is going to ensure that the reclamation work will be done.

Hon. Mr. Lang: I thank the member opposite. In answering the questions about the reclamation, I've been told by my officials that we're still in consultation with the First Nation on that. As soon as we're done with those consultations, that report will be released.

Also I'd like to remind the member opposite that it's not just traditional territory; it's selected land that the mine is on, and the Selkirk First Nation -- that's A-selected land. They have surface rights and subsurface rights. I think the last question could be answered in the reclamation plan that I tabled here in the House today on security and on how the security will work.

Mr. Cardiff: Well, this is absolutely astounding. What I'm hearing the minister say is that we have an operating mine in the territory that does not have a completed reclamation plan, so they've been given the go-ahead to do the work, but there is no reclamation plan and there's no security. So there's no guarantee that any of this is going to happen.

How can you start doing the work when you don't have the plan to do the reclamation and you don't have the security?

The process is there, according to the minister and the document that he tabled, with the Yukon mine site reclamation and closure policy, January 2006. So the vehicle is there but the work hasn't been done. The government has not done the work on ensuring that there was a reclamation plan, a land use plan, in place before the work started, and he's telling us that there is no security provided upfront to ensure that this work will be done. The mine is operating already. There needs to be the money there to ensure that the reclamation gets done.

Hon. Mr. Lang: I would remind the member opposite this is on First Nation selected land. The security is in place. This mine was permitted many years ago. There was a process in place. They are meeting their commitments today. The reclamation plan is in place. The only obligation we have is to get an agreement from the First Nation that has been working with this reclamation plan. They are the partner in this mine. Until they approve the release of it, we will not release the document.

It is on selected A land. It is totally owned by the Selkirk First Nation. We're working with the First Nation on both those issues. There is security in place to cover any cost of reclamation up to this point. The mine was permitted many years ago and the reclamation plan is in place. It's being looked at by the First Nation and it will be a public document as soon as we get the green light from the First Nation.

Mr. Cardiff: I don't know why the minister didn't say that, because he committed to providing it, with no qualification.

Second, the minister just said the security is in place. How much security has been provided and where is it?

Hon. Mr. Lang: I didn't mislead the member on the reclamation. I will table that; I will send it over to the opposition as soon as I have a copy of the document. I committed to that and I will do that.

I will also commit to giving to the third party the exact amount of security the government holds for the Minto mine and the work that has been done up to date. Those two things

will be sent over to the third party as soon as I get the documentation.

Mr. Cardiff: I thank the minister for making that commitment and hopefully we'll see it before we're in the same situation next year as we're in right now -- at the end of the sitting.

The minister made another comment about making First Nations full partners in resource development and talked about the MOU around the Minto mine project, the Sherwood Copper project. I'd like the minister to inform us just how many members of the Selkirk First Nation are currently employed on the Sherwood Copper site. I would like to know how many of them are employed in positions of trades or other positions. I'm looking for trades, truck driving, equipment operating -- the higher paying jobs. We see these companies come in and offer employment to the local community and First Nation, but too often those people are not given the opportunity to obtain training or get what I call the "real jobs", the skilled trades training they require that gives them the mobility to work on projects like this around the territory and improves their lot in life and their community's health.

If the minister can provide that information, I'd be pleased.

Hon. Mr. Lang: I remind the member of the third party that this is a self-governing First Nation. The mine is situated on a selected A land. I understand that the corporation and the Selkirk First Nation have an employment agreement. That is between the self-governing First Nation and the corporation. I would have to direct the question to that government, and I'm sure that if you were to write a letter of inquiry to the First Nation, they could give you a list of who's working there, what their job description is and what they're getting paid. Of course, that's something we don't have any input into.

Mr. Cardiff: Well, you know, the minister makes statements like "making First Nations full partners in resource development," and they like to take the credit for this stuff when it happens, but they don't like to do the hard work on those agreements -- when they license these operations, when they license these mines, the territorial government can play a role. They can require that these impact benefit agreements that companies are bringing to the territory do benefit the community in a way that's acceptable to all Yukon. Basically the minister is saying that it's not his responsibility, that it's the responsibility of Sherwood Copper and the First Nation. Well, then the government shouldn't be taking credit for this happening, because the government should take no credit for that.

If they want to take credit for it, then they should look for ways to improve it by working with the company and ensuring that those training opportunities in those skilled positions are available. The government should make that a requirement of the mine, of these operators, before they come into the territory.

I have a couple of other questions. I've been going through the contract registry and looking over the past few years. When you look in the budget document, there is money in oil and gas and mineral resources for assessment and abandoned mines. This is type 2 mine site money. There is almost \$8.3 million as a recovery from the Government of Canada. When you go to

transfer payments, there is a \$1.2-million line item that's a contribution to various Yukon First Nations.

What I would like to know is: what happens to the rest of the money? It's a lot of money. There's another \$7 million being spent somewhere. I'd like the minister to tell us where that money gets spent.

Hon. Mr. Lang: In talking about the Minto mine and the opportunities there for First Nation employment, I remind the member opposite that the Selkirk First Nation is a self-governing government in the territory. They have a responsible government. They have been working very positively with Minto mine, the Sherwood Copper people. We do offer training. There is also opportunity for capacity building if the Selkirk First Nation directs us or works with us on those issues.

We're not about to take over the Selkirk First Nation and tell them how to run their government. I was at Sherwood Copper, and I thought they did a fairly good job. I think the percentage of First Nation employment there is quite large. I didn't count them, but they were obviously there, and they were driving equipment and doing things at a mine that people do at a mine.

For me to debate whether the Selkirk First Nation is capable of doing the job they are doing with government or rolling up my sleeves and interfering with that -- this government will work where we are asked to contribute. The Selkirk First Nation would be a bit concerned if we rolled in one day and decided to take over the government. We will work with the Selkirk First Nation. They get 100 percent of the royalties from that mine. That mine will mean gross revenue for the community of \$3 million to \$4 million a year for the next 10 to 20 years. They have an agreement with the corporation on employment, opportunities for business -- all those things have been put in place. I would like to compliment Selkirk First Nation on the job they've done without us. We will be there if they need our assistance, but they will come to us and ask us -- if it's with training or in other ways that we as a public government will assist -- we certainly will do it.

As far as the type 2 mine is concerned, the resources flow from Ottawa. Of course, type 2 mines are the responsibility of the federal government. We just manage the resource and the projects. The seven type 2 mines are Brewery Creek, Clinton Creek, Keno Hill, Faro, Ketz, Minto and Mount Nansen. Those were the seven sites. Of those seven sites over the last five years, Minto is now up and running. Keno Hill has gone through receivership; it is now in new hands, and they are doing exploration there. Ketz is doing exploration, so that mine is moving ahead. Regarding Clinton Creek -- at this point, the reports are that it is just a maintenance contract that is out -- and of course BYG is going through the courts now on a sale.

Most of these mine sites now over the last five years have moved quite a way into a closure or sale or some form of environmental closure. The mine that we do have that we're moving ahead with now -- and the receiver has given their notice for the next year, and at that point we'll have a closure plan -- is Faro. So the majority of the money that you would see there is for the Faro mine. It's not only maintenance now, but it's also people working on the closure plan and then implementing the

closure plan. In probably the next 12 months when the receiver leaves, we will be into the closure phase for the Faro mine. So all those resources -- I know that I look at the figures myself, and I think these figures are large figures. But then I go to Faro, look around and take a tour of the mine, and I am reminded about the environmental impact of the Faro mine. It's huge, so it brings me back to earth as far as the costs are concerned. But all that money flows from Ottawa to address their responsibility, and that is for type 2 sites.

Mr. Cardiff: Well, the minister, I am sure, heard my reference to looking at the contract registry when I was asking about where the \$7 million went.

The reason I asked the question is because -- and I'd actually like to congratulate the minister in his capacity as Minister of Highways and Public Works for the good work they've done on making the contract registry much more user-friendly and searchable, because it's very handy.

But what comes to my attention is -- and this doesn't totally jibe with what the minister just said -- that basically the money flows from Canada is for type 2 mine sites, and it's for reclamation and closure plans to ensure that the environmental work on these sites is done. But is it a requirement of the federal government when they transfer this money that these contracts are sole-sourced?

Hon. Mr. Lang: I have just got some figures here from my staff.

The \$8.3 million is resourced from Canada. Out of that for management is \$1.2 million for First Nation participation on type 2 sites, so that's the money spent for the First Nations that are directly affected. In the Faro mine it's Ross River Dena and it's the Selkirk First Nation, and then we have the other sites that have impacted the First Nations where their traditional territory is involved.

As far as sole sourcing contracts, it's not a rule that you sole source. What I'm trying to explain is that in the nature of what we're doing, we need a lot of expertise that we don't have in the Yukon. We try to maximize what we get from the territory. A lot of the work that's done on the ground in Faro is done by Faroites or people from Ross River or Selkirk and that whole district. We're looking at the other mine sites. We try to maximize what the locals can do, but in this environmental science there's a lot of expertise we don't have here in the territory.

Mr. Cardiff: I just find it highly unusual that the department and the minister are sole sourcing contracts to the tune of \$1,466,938. That's a fairly large sole-source contract, and I think it would exceed the limits of the sole-source policy in the government.

There's another one that was given out recently. Both of these are contracts for one year. They started on April 1 and run to the end of the fiscal year. Another one is for close to \$400,000 -- that's for work with regard to the Faro mine closure project.

Again, it's a large sole-source contract. The \$1.466 million is for care and maintenance at the United Keno Hill Mines site. How does the minister justify sole-sourcing these contracts without putting them out to, at the very least, an invitational

tender, or a public tender? Surely, there are others who would be interested in getting a piece of some of this work. They probably do have the expertise.

Hon. Mr. Lang: In February of this year, 67 percent of all the contracts went to Yukon-based companies. In other words, approximately 70 percent of every dollar coming in goes to Yukon-based companies. Understand, Mr. Chair, that I don't personally give out any contracts. It's done through the department.

For a lot of the contracts that we let in the smaller communities, the individuals in the area have limited expertise. We want to maximize the participation of the communities. If we were to open up all these contracts, a lot of these communities would suffer by having individuals come in and take the contract. So, it's a two-sided sword. What we try to do is balance the resources that go into the community, manage the resources and maximize the benefits for communities like Ross River and Faro. Mayo was another area that for years didn't have the opportunities there. We tried to maximize the input from the community.

I guess it's a judgement call, and I think the department does a fairly good job of maximizing the dollar and how and where the dollar is spent in the territory, and determining which communities would benefit from it. Some of these contracts are let to First Nation companies -- corporations that have the expertise in these little communities. It gives them the security of knowing there are jobs the next year and the year after. They've done a good job. I think the net benefit is to the community itself.

Mr. Cardiff: Well, it's interesting. The minister said he doesn't give out these sole-source contracts, and yet on the contract registry Web site, on a \$1.466-million contract, the minister is listed as the project manager. So go figure. But he doesn't give out those contracts.

I suppose I could ask a lot more questions, but I know I'm going to have to move on. I'd like to ask the minister one more thing. I tabled a motion earlier in the Legislature this afternoon about the north Yukon land use plan, and it's my understanding that the plan is complete and that it has gone to be reviewed to make sure that everything is just right with it, but there is also some worry that the government is looking at releasing oil and gas leases in north Yukon. This was a public consultation process that was used to develop this land use plan. How can the government, just prior to the release of this plan, be potentially releasing oil and gas leases in that area, when it may not respect the plan? Does the government intend to change the plan? It sounds similar to what's happening with other reports of the government -- the report that's being done on high schools. It doesn't say what the government would like it to say, so they send it back one more time to get it revamped. It could be the education reform project options papers -- don't like them, send them back, get them redone. There are numerous instances of this type of thing happening. The state of the environment report prepared by the department, the minister doesn't like it, send it back, make sure the information reflects what the minister wants it to reflect, not what it really is.

I'm concerned about the north Yukon land use plan.

I'll let the Premier brief the minister on that.

Now that the minister has been briefed, I'd like to know what the minister plans to do with that north Yukon land use plan. Will they change it so it meets what they would like to see happen in the north Yukon, or will they respect the process that has been gone through, the public consultation, and what communities in the north Yukon have said about how they feel the land should be used?

Hon. Mr. Fentie: A point to make is that the third party has been quite constructive and professional throughout the course of this sitting, ensuring the public record was always correct, so I'm going to help out the Member for Mount Lorne.

It's never the case that governments send a report back because they don't like the report. That's not what this is all about. It's ensuring that what is disseminated into the public domain is, in its content, correct, serves the public interest always and is also complete.

Let me give some examples. The state of the environment report will be tabled when it is complete. That can only be done when it's presented to Cabinet. Cabinet then approves the agenda and we go forward. When it comes to Energy, Mines and Resources, the same holds true on land use planning, but even at a higher standard because developing land use plans is an obligation and responsibility of both parties -- First Nation governments and the public government in Yukon.

Taking the member back somewhat, it has been many years since the first four First Nations signed off and we have yet to have a land use plan. This government, under the minister's leadership, went to work on that and we've established what a functioning land use planning commission is and they're out doing their work.

I would encourage the members opposite to recognize that there is no need to inject into debate things that aren't happening and things that government can't and, more importantly, would never do. This is all about the necessary work that must be done to ensure the public is informed, informed correctly. That's our responsibility. The third party has been really professional at that in this sitting, a lesson that the Official Opposition could take from the third party.

Mr. Cardiff: I thank the Premier for that answer. I'm not going to respond actually.

We now have the minister responsible for the next department. I don't believe there are any other questions -- although there are always lots of questions and we could probably stay here until August with questions if we wanted to. But seeing the time is slipping away and there are still a few other departments, I would request unanimous consent to deem all lines of Vote 53, Department of Energy, Mines and Resources cleared or carried, as required.

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

Chair: Mr. Cardiff has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$35,147,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$5,182,000 agreed to

Department of Energy, Mines and Resources agreed to

Chair: Is it the wish of the members to take 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.

Executive Council Office

Chair: The matter before the Committee is Bill No. 6, *First Appropriation Act, 2007-08*, Executive Council Office.

Hon. Mr. Fentie: I'm very pleased to introduce the Executive Council Office budget for 2007-08. The Executive Council Office budget forecasts overall operation and maintenance spending of \$24,567,000 and capital spending of \$26,513,000.

On the O&M side, as members are aware, the budget for the Executive Council Office includes monies for several areas where activities are undertaken by other departments across the government corporate structure. The total of these corporate funds in the operation and maintenance budget amount to \$5,928,000. This represents 24 percent of the total O&M budget.

The program areas with O&M transfers include land claims implementation, devolution implementation, intergovernmental relations, Office of the Commissioner, the Youth Directorate and the northern strategy.

The key changes in the O&M budget for the Executive Council Office for 2007-08 are the addition of the new governance liaison and capacity development branch to enhance how we liaise with First Nation governments and work with First Nations on a very important area of capacity development.

There is an increase of 34 percent to government audit to add one new audit position, as the government is taking a very serious approach to ensuring that our internal audits function is maximizing its capacity. There is an increase to the northern strategy budget for projects approved in 2006-07. For those projects expected to be approved in 2007-08, there is redistribution of the substance abuse action plan budget to sponsoring departments. With respect to land claims, Mr. Chair, the budget allocation for land claims and implementation secretariat is \$8,670,000. This represents approximately 35 percent of the total Executive Council Office budget. The planned expenditures clearly indicate that this government continues to focus on working closely with First Nation governments to imple-

ment land claim agreements and, of course, continues to build relationships.

Now, Mr. Chair, this budget also includes \$250,000 to cover transfer payment costs for the establishment of the Dawson and Dakh Ka -- Teslin and Carcross-Tagish -- land use planning commissions.

Governance liaison and capacity development -- Mr. Chair, I'm pleased to announce and inform the members of the creation of a new branch within the Executive Council Office to specifically increase liaison with First Nation governments. The governance liaison and capacity development office will employ three people to coordinate the Yukon Forum and the intergovernmental forum, as well as design a capacity development strategy for First Nations within the Yukon government. \$324,000 is allocated in the budget to support this very initiative.

On the devolution front, Mr. Chair, while the majority of devolution work is now complete, activities continue in a number of departments relating to the transfer of programs from Canada. The core budget for 2007-08 remains at \$648,000. This year represents the fifth and final year designated as transitional years following conclusion of the devolution transfer in the year 2003. All the funds voted in this line are managed corporately by Executive Council Office and distributed to line departments for approved work during the fiscal year.

For intergovernmental relations, the allocation is \$1,040,000 to support their work of developing positive working relationships with other governments. This includes maintaining an intergovernmental presence for the Yukon government in Ottawa, as well as the broad range of support provided for intergovernmental travel, communications and events.

Of particular note is the continuation of the \$50,000 contribution to the Vuntut Gwitchin First Nation and its government to assist in their efforts to continue lobbying for protection of the Porcupine caribou herd and the Arctic National Wildlife Refuge.

On the Youth Directorate front, in this budget the Executive Council Office will continue to demonstrate the commitment of this government and the department to Yukon youth through its support of a number of organizations providing direct services to young Yukoners. Three principal youth organizations -- Bringing Youth Toward Equality, Youth of Today Society, and the Boys and Girls Club of Whitehorse -- will receive contribution funding in the amount of \$110,000 this year. As well, the francophone youth organization, Comité Espoir Jeunesse, will receive a contribution of \$25,000 to support their activities, focusing specifically on youth in our active francophone community. In addition, the Youth Directorate will continue to support rural communities in offering funding for youth activities during the winter and summer with contributions on application from each community. A total of \$240,000 is designated for support of these seasonal activities. Seventy-nine percent of the total budget for the Youth Directorate in O&M directly supports organizations that work with youth.

On the statistics side, the valuable work of our statistics branch will continue this year with a combination of corporate

research providing statistical indicators, which are used by all departments, as well as numerous projects supporting the mandates and strategic plans of individual departments.

I'm sure the members are well aware that the national census is something the stats branch is now working on because, unfortunately, the count from the national census clearly shows there are hundreds of Yukoners not accounted for. I want to extend our appreciation and commend our stats branch, which has probably now found over 70 percent of those missing Yukoners on the federal census and they have now been accounted for.

At this point, I would also like to make a point to the members opposite when they talk about reports. Reports like the Hold Fast report need data and information when it comes to census numbers to do any sort of acceptable and appropriate calculation. If hundreds of Yukoners are missing, we have to do the necessary work to ensure that what we are looking at here reflects the true population and the demographics of the territory. If we are dealing with hundreds of Yukoners who are not accounted for in the census, which is one of the elements of the formula, then we must be very vigilant in our efforts to ensure the public is indeed receiving correct and complete information.

The capital budget is \$26,513,000 for the Executive Council Office and is being directed toward four principal areas: \$25,924,000 is under the land claims and implementation secretariat for the northern housing trust and various implementation projects across government; \$290,000 under government liaison and capacity development; \$200,000 under youth strategy initiatives for the winter activities program; and \$99,000 under corporate services for the office equipment, furniture, computer equipment and systems development for all operational units in the Executive Council Office, plus Cabinet offices and the Office of the Commissioner.

With these brief comments, I am looking forward to the debate on the Executive Council Office. This is the instrument of government that provides the oversight of the corporate structure of the government. I want to thank all the officials and staff of the Executive Council Office for once again demonstrating a tremendous commitment to Yukon when it comes to overseeing government services and departments and their contribution to the quality of life of all Yukoners.

Mr. Mitchell: I want to thank the Premier for his opening comments. They certainly explain a great number of things.

I want to start by thanking all the officials, the hardworking people in Executive Council Office, up to and including the deputy minister, for the work they do. I want to thank them for the very good briefing that they provided at the beginning of this session. It is always appreciated when we get a briefing with some good and clear explanations of the major changes. It saves time in this Legislative Assembly for those of us in opposition.

I also want to say to the Premier: let's try this. It's the last day of this sitting. I would like to go through this and ask some specific questions and let's see if the Premier can answer the specific questions. We can keep the tone appropriate and move

through this. We don't have a great period of time in front of us.

I'm going to try this. I'm going to ask specific questions and see if we get an answer. If the Premier feels compelled to stand on his feet for a great deal period of time, then we'll have to combine the questions into my next question.

I'll start by asking if the Premier can tell us something about what is on the agenda for the next Yukon Forum. When is that forum scheduled, and can he tell us whether Kwanlin Dun First Nation will be participating in that forum?

Hon. Mr. Fentie: Good question. It brings us right to this new initiative -- an investment in Executive Council Office -- with our branch for capacity development and liaison with First Nations. That's the area that will do a lot of the work in developing agendas in partnership and unison with First Nations, in setting dates and so on for the Yukon Forum, but also what's right ahead of us is the undertaking by the federal minister to convene once again an intergovernmental forum in the Yukon, and I would expect that that would be in the forefront and then following that, we may have a date set shortly for another Yukon Forum. We as governments are, by law, obligated to meet no less -- but not limited to -- than four times a year.

Mr. Mitchell: I'm going to try to interpret that answer, because the Premier didn't actually give a particular date for the next forum -- that it will be sooner rather than later because of the pending visit of Minister Prentice on the intergovernmental forum. That was going to be my next question. So the gods are rumbling. They've heard enough of this Assembly for this sitting, apparently.

I'll just let that go, and I will say I'm very pleased, since the minister has said that that is the purpose of the new branch -- the government liaison and capacity development branch. I want to thank the minister for that undertaking. It is something that we asked for or suggested we would do in our platform, and I'm glad that, at least on this, we and the minister are in agreement that this is important. So I will say that that's a good thing and we're happy to see that moving forward.

The federal government certainly announced the hiring of Mr. Fitch to negotiate with the Kaska in B.C. and Yukon. This was certainly discussed in the national media. Among some changes that have raised eyebrows, Mr. Fitch, an environmental law specialist who is Mr. Prentice's former law partner, replaced a long-standing Yukoner who had been the former federal negotiator at the table. I'm wondering if, in terms of Mr. Fitch's mandate, the government has been officially informed of specifically what the details of his mandate are. Are there any meetings scheduled to move forward in terms of the Kaska -- and White River, for that matter -- and is the Government of Yukon ready to negotiate if it does reach that point? So when does the Premier anticipate any actual negotiations commencing, based on whatever information he has from the Government of Canada?

Hon. Mr. Fentie: It is vital that the information is always correct. I want to point out to the member that the actual position of the Official Opposition was to create a whole new department in this area. We've created a branch within an existing department -- just for clarity.

Secondly, the emissary who was appointed by Mr. Prentice has not replaced anyone, per se. There are no negotiations going on at this time. With respect to the Kaska, that is essentially because of litigation; White River negotiations ended with nothing resolved.

What has happened is the federal minister has appointed an emissary to work on what steps the federal government can take to get back to the negotiating table with the First Nations -- White River, Ross River Dena and the Liard First Nation. We expect that, once all the work is done, a report to the minister will be provided by the end of June.

We don't have any terms of reference or detailed mandate that the federal minister provided the emissary, but we understand that it's essentially around recommendations on how to resolve the unfinished business in Yukon. So it would be at this juncture, in general terms, advice to the federal minister in dealing with the Yukon issues.

We also know the federal government has recently moved nationally by creating what is an independent initiative body, if you will. After a set period of time of negotiation, they'll access this body and a binding decision will be made. That has little impact on Yukon because we have a comprehensive claim process here, not a specific type of process.

However, as I understand it, there are seven areas that could involve this particular entity in Yukon on specific issues that have been ongoing with the federal government, not the Yukon government.

Mr. Mitchell: I don't want to get into a debate over the last election. As the Premier has pointed out, they are the government.

What I was referring to was a specific commitment to working with First Nations on capacity development. We had proposals there. I think this branch may well reflect something similar, and that's what I was referring to.

White River First Nation has recently talked about reverting to reserve status. They've suggested that that was one possibility. Does the minister have any more information? Is there any hope at all? I guess there's always hope, but does he have any specific knowledge that they might be coming back to the land claims table?

Hon. Mr. Fentie: At this juncture, I think it's fair to say that would be dependent upon the final report provided the minister on this matter and what the federal minister will then decide to do. What I can say, however, is Yukon government's position, and its preferred approach, is that we get back to the table, trilaterally, as all other negotiations have been conducted, and conclude the unfinished business here in the Yukon.

I also want to point out that even though I don't judge or take issue with any First Nation government choosing a route for its citizens, I would encourage White River First Nation and, indeed, the Kaska to thoroughly look into what the claims actually provide versus remaining under the *Indian Act*. There's a tremendous difference here, and that's why we have what we call a comprehensive land claim. If you look to the rest of the country and the situation that many First Nations on reserves find themselves in, I would hope that we can all agree in this House that the Yukon is somewhat advanced in the area of de-

cision making by First Nation governments on behalf of First Nation citizens. First Nations governments are taking on a lot of their own affairs and have been removed from a lot of the issues around the *Indian Act*. Our hope here is the outcome will be the very important objective of completing the unfinished business so that all 14 Yukon First Nations will have a final agreement and will be self-governing.

Mr. Mitchell: I would like to go back to something that I asked earlier in general debate. It comes down to the Council of Yukon First Nations' need and desire for a new building, a new headquarters, since the lease on the building they are currently using will be up and it is, I believe, slated to be torn down by the owners.

Responding to the questions I asked about what agreements there were between the Government of Yukon and the Council of Yukon First Nations regarding this, as tenants, the Premier said, "We've committed to being an anchor tenant in the building." That didn't give us a whole lot of specificity. I am wondering: is this a signed agreement or just an oral agreement indicating that, if space is built and office space is available, the government has an interest in it? How much space has the government committed to? For how much money and for how many years? Will this information be made public?

I will let the Premier answer those questions.

Hon. Mr. Fentie: First off, there is no space. What the government has done to assist the Council of Yukon First Nations is put into writing a commitment to enter into anchor tenancy. We have stated to the Council of Yukon First Nations that our needs would be in the neighbourhood of 10,000 to 15,000 square feet. But there has been no negotiation on cost per square foot for that lease. This is merely a step to provide the Council of Yukon First Nations an element of what they need on this particular file, an initiative to go forward with Canada and possibly others. They now have the authority, if you will, and the latitude to specifically say that the Yukon government would become an anchor tenant in a facility that CYFN or member First Nations of CYFN may own, and that that anchor tenancy would require in the neighbourhood of 10,000 to 15,000 square feet.

Mr. Mitchell: I thank the Premier for clarifying that issue. Were there any other requests made of the Government of Yukon by CYFN to support this project -- this purchase and renovation of an existing building? Did CYFN request any capital funding other than the space commitment and if so, has the government responded to that request?

Hon. Mr. Fentie: Our response to CYFN was the actual position that I just articulated -- anchor tenancy. We have made no commitment to any capital outlay in this area. There have been requests of various types, but at this point in time, all we have that is part of the status of where we're at today is the fact that CYFN is now the process on a facility. We have committed anchor tenancy by announcing a required number of square feet. Nothing else has been committed to or discussed at this date, other than that item. We await CYFN to inform us where we're at at this juncture. I can tell you the government will be open to trilaterally working with CYFN and Canada and

the member First Nations in this regard, given the situation that CYFN is in. It goes without saying that being involved in the discussions would be our responsibility, but I think right now a lot of that discussion is bilateral between CYFN and the federal government -- whether it be at the local level here, or possibly there have been some discussions directly with Ottawa, which I'm not aware of, but the minister will meet on a regular basis with the Yukon chiefs and the Grand Chief of the Council of Yukon First Nations.

Mr. Mitchell: Can the Premier explain if he has made this indication to the Council of Yukon First Nations -- which they would literally want to take to the bank, so to speak, because having government as an anchor tenant certainly helps in financing -- but there have been no discussions of a cost per square footage or details about how the government will proceed to honour that commitment and, at the same time, comply with the recommendations in the Auditor General of Canada's report on Highways and Public Works that the government refrain from sole-sourcing and put its future space needs out to various forms of public tender -- or does the Premier feel that in this case, due to a government-to-government relationship, there is a legitimate reason to go outside of that parameter?

Hon. Mr. Fentie: Well, the member makes a good point. I think the best way I can respond to that is we must, to the extent possible, be consistent with the fiscal practices that are generally considered the requirement. But we have to also understand there are going to be instances where we have to maybe look at something a little differently, provided we're not breaking the law.

In this case, there is merit and good reason for us to work on a government-to-government level with the council and other First Nations, because I think that is an area that is developing. We've got some examples written right into land claims that obligate us to do these things. I give you an example of Kwanlin Dun, on capital investment by government of \$3 million or more, section 17.7 with Tr'ondek Hwech'in, the work we must do on special management areas and all that means when it comes to joint management of a special management area. That's another area where some of these examples are certainly arising of how we deal with this on a government-to-government level.

So, in this case, the government is confident, considering all the other space utilization out there today and the possibility of further space requirements needed. We look at it in the context of the full picture and feel that our involvement here is a prudent choice to make in working with the Council of Yukon First Nations, because the Council of Yukon First Nations is also under a bit of a pressure here. The existing facility they're in is not theirs. It is a selected land base, and ownership, I believe, goes along with that when it comes to the building.

There are some timeline issues here that enter into this overall initiative and that we have to be mindful of. Our purpose here is to ensure that any transition required is smooth and allows CYFN to continue to function in representing its member governments. This is no different from what we worked on in our transition when it came to devolution -- to try to make sure the transition was smooth and with the least amount of

upheaval so the transition and seamless approach in delivering services to Yukoners were not necessarily impacted.

That's much of what this entails.

We can't get to a bankable letter of credit, if you will, until there is a negotiation. First we have to know where the space will be located; second, we need to discuss market value of the lease space. There are processes for that and I'll leave that to department officials to do. Once we get to that juncture, I'm sure if the member's point is that this would help the CYFN access dollars from a financial institution, any letter of credit or commitment by a government to any entity is a bankable letter of credit.

Mr. Mitchell: That was the point of my question and I did ask it carefully because I felt this could be an exception, and for good purposes.

I will share with the minister the irony of this situation since it was a former government of his political party that took on an agreement made by a former government of his former political party and took the opposite approach and, in point of fact, the letter was not bankable.

In any case, I'll move on.

Considering where we're at with land claims, I'll ask whether the minister could elaborate a little on where the current focus is on land claims implementation primarily.

Hon. Mr. Fentie: There is an absolute litany of areas of implementation with various levels of magnitude and scope of work, and a broad-ranging, almost daily requirement from all departments in government to work on implementation overall. I think it's important to recognize that we have to deal with an immediate issue right now on the implementation front that I think it's fair to say is getting a tremendous amount of focus and emphasis by First Nation governments and the Yukon government. We are in the period of the nine-year review and a great deal of that work is to address what is so important to the future of self-government and implementation of our agreements here, and that is the financial arrangement -- the financial transfer agreement with the federal government.

I want to go back a little bit here. When this nine-year review first began, the federal government expressed absolutely no interest in discussing fiscal matters or terms. We were successful in a Yukon forum to get a collective commitment by First Nation governments and us, the public government, to approach Canada and encourage them to recognize the importance of meeting the spirit and intent of the agreements themselves, specifically in allowing First Nations to advance and build capacity in the area of governance, and how critical the financial transfer agreement is as an instrument to living up to the spirit and intent of the agreement.

We were successful, jointly -- First Nations and public government -- convincing Canada to include fiscal issues in the nine-year review. That has resulted, by the way, in a recent approximately \$4-million investment by Canada in an interim resource allocation to the first four First Nations whose FTA has run out in its timeline.

They have received an increase of resources being made available to them so there is no net fiscal loss in this period to those First Nations in this period where we are concluding the

nine-year review. Our input there is the development of a new federal mandate -- should I say renewed or new? -- to implement the agreements here in Yukon for the longer term, and indeed come forward with a new financial transfer agreement.

I hope that helps. Other than that, there is all kinds of implementation going on with habitat protection area work, special management area work, management plans, and discussions on various matters we are continuing. These are all works in progress that we will probably experience for quite some time to come as we work through the many areas of our claims. Being comprehensive, they include a vast array of areas we have to work on to establish this model of governance with two jurisdictions in the Yukon having to cooperate to meet the needs of our respective citizens -- First Nations for First Nation citizens, and the public government for all Yukoners.

It certainly is a system that is proving to be very beneficial to Yukoners, when you consider what's happening in today's Yukon and then compare ourselves to our sister territories and/or other jurisdictions. Yukon is advanced in its claims; Yukon has taken over management and control of land, waters and resources; Yukon has its very own assessment instrument, YESAA. There's a lot going on here that involves our implementation requirements under the claims themselves.

Mr. Mitchell: I will thank the minister for his answer. As I go through this, I have a series of questions and I may not get to them all, because there are other members who also want to ask questions and we are on the final day of this sitting.

I'll ask some questions that might traditionally be in line-by-line debate because we may not have the opportunity to go line by line. There is the internal audit to which the Premier indicated that the 34-percent increase had to do with hiring additional auditors. I'm wondering a couple of things: in fiscal year 2005-06, I believe there were no internal audit reports issued for that year. If so -- the minister can correct me -- and if not, why not? What is the audit plan for 2006-07 and is there one for 2007-08?

Hon. Mr. Fentie: First off, with respect to 2005-06, in all likelihood the audit branch was in a situation or status of a work in progress. So now we'll move to the audit plan and the only audit plan we have available today is the 2007-08 audit plan. I'll just go through the list.

It's a completion contracting audit; a completion audit of the Pharmacare and the extended health benefits program; and an audit of the Yukon Lotteries Commission. This audit is to focus on assessing the systems and practices for the management and control of selected areas and aspects of the commission's operations. I think that gets back to a question that was on the floor here a number of days ago and I think it has a correlation to some of the experiences elsewhere in Canada. So the minister is using the internal audit branch; he's making sure that Yukon is not having any problems.

An audit of the government's performance under the *Environment Act* -- when we talk about reports, this is a report I'm very much looking forward to. Section 39 of the act calls for an audit every three years of the performance of the Government of Yukon in meeting its responsibilities under the act with respect to its efficiency and its fairness. The audit will cover the

period from 2003 to 2006. The previous audit covered the period from 2000 to 2003. Audit services may also undertake, time permitting, some advisory services requested by departments for the audit committee for reviews in particular areas or advice on specific matters. These tend to be highly focused and less comprehensive and resource intensive than an internal audit. The annual audit plan is approved by Yukon government's audit committee and is based upon submissions received from departments. So to the extent that the internal audit branch will be working on a planned audit for the year 2007-08, it still will undertake, by request from the departments, other specific matters that departments feel require internal audits, assessment and response.

Mr. Mitchell: We, too, look forward to seeing all those audits, and I presume by the Premier's comments that all those audits will be either tabled in the Legislature or made public in some other timely manner, but the Premier can respond to that when he's next on his feet. There is \$198,000 for the successor resource legislation working group, and I believe they've been working on forestry legislation since 2002. It was originally, I believe, supposed to be ready in 2005. So I would ask what has led to the delays, and can the minister now tell us when it will be ready?

Hon. Mr. Fentie: I don't consider thorough consultation and work with First Nations and Yukoners in matters such as forestry legislation a delay. I call it taking the time necessary to get it right.

We in Yukon don't need to follow bad practices that other jurisdictions have. We can use our legal instrument here for forest management in a much more modern and responsible way. That is essentially what we are working on. Once again, I can just say that we will take the time necessary to get it completed and make sure it's the kind of legislation that meets the Yukon's public interest.

When it comes to what is being tabled, I can assure the member that in all areas where the government is required to table and make information public, the government certainly does that. But we ensure that the information is complete and correct in its content so we are not misinforming the public and are, rather, providing them with information that gives them what is required -- a factual insight into their Yukon.

Mr. Mitchell: I think what I just heard the Premier say is similar to when we hear teenagers say "whenever". I am going to accept that answer, nevertheless, because apparently that is the most specific answer I am going to get. I guess we will just periodically ask the question and one day the Premier will be able to give us an update on the timeline.

Since I just asked a question about a particular line item and it happens to be the next line item on the same page, I will ask now -- I want to say that I know the Member for Vuntut Gwitchin wanted to ask this question himself but, seeing the time and knowing that the third party also has to ask questions, that opportunity might not have occurred, so I will ask it on his behalf. With regard to the \$50,000 contribution to the Vuntut Gwitchin First Nation, which goes toward lobbying for the protection of ANWR and the Porcupine caribou calving grounds, many past MLAs, prior to the current MLA, have

spoken eloquently over many years about this issue. On behalf of the Member for Vuntut Gwitchin and on behalf of the Official Opposition, we will thank the Premier, on behalf of the Vuntut Gwitchin constituents, for this contribution.

Again, as my colleague would say, it's important for the Premier not to wash his hands of this issue, just because of the contribution. Winning, and continuing to win, will require all leaders to move forward at the grassroots level to the international stage. Does the Premier plan to go to Washington next fall and participate in the grassroots effort that he is, in fact, funding through this department to continue to work toward the hopefully eventual permanent protection of the calving grounds of the Porcupine caribou herd in Arctic National Wildlife Refuge? Presuming that the House is not sitting, will the Premier make a commitment to go on behalf of all Yukoners?

Hon. Mr. Fentie: Mr. Chair, I'm sure the member understands that I can't make a commitment to be present somewhere in the months ahead of us. Scheduling in this area is changing almost daily. But what I can do is continue to support the Vuntut Gwitchin and Yukoners in our efforts to ensure that our national governments, for example, are living up to the agreement they signed in 1987, which is an instrument that hopefully will allow Washington and Ottawa to ensure that the critical habitat for the Porcupine caribou herd is being dealt with according to the tenets of that agreement. We encourage that. I've talked directly to the President of the United States. I've constantly brought up this issue. And let me give you some recent examples. If I may, Mr. Chair, I'll read them into the record. And this all takes place at intergovernmental meetings. Recently, on May 18, 2007, this issue was brought forward by me on behalf of Yukon at the renewal of the Yukon-Northwest Territories Intergovernmental Relations Accord so that the Northwest Territories, which has a role to play when it comes to this herd, as we all know, is working with Yukon and ensuring that we as territorial governments are doing our job because of the cross-boundary issues with the herd.

On March 27 and 28, 2007, on a trip to Alaska and the Alaska-Canada Regional Summit, I brought this issue up to the Governor-elect, Governor Palin. On August 16, 2006, this item was on the agenda in my discussions with Prime Minister Harper and, just generally, I encouraged the Prime Minister to ensure that we live up to the 1987 agreement.

On June 25, 2006 at the Diplomatic Forum, there were various representations made on the international front on the importance of protecting the Porcupine caribou herd. On April 21, 2006, on a visit from Minister Prentice -- again this issue was an agenda item and had a vigorous discussion. There were other meetings such as our Environmental Forum, where there was a lot of input and discussion with respect to the herd and its protection. I believe there is a letter that will be forwarded, or is forwarded, to our Member for Old Crow, the member representing Vuntut Gwitchin, outlining a number of areas, but it does focus on the 1987 Canada-U.S. agreement.

Mr. Mitchell: I'll just comment that there's a saying we've all heard that the price of freedom is eternal vigilance, and I would suggest that this is another case where the price of success, and survival of the herd, is eternal vigilance. As far as

not being able to schedule attendance months in advance -- well, the Premier schedules many meetings months in advance. Certainly the Premier knew he would be attending the Canada Winter Games months and years in advance and when the dates would be. When there are trips with the Prime Minister abroad, the Premier knows the dates months in advance, so it's a question of priorities and I'm asking this Premier to make this such a priority.

On the northern strategy, Mr. Chair, I believe there were several projects that were not approved in the first round, pending policy direction on capital projects. I understand that to mean the projects that are capital projects were not allowed to be funded. For example, the Champagne and Aishihik First Nations cultural centre for \$1.8 million -- I am wondering when these policy decisions will be made. What is the Premier's view on this subject? Does he support the fund being used for capital projects and, if so, is that something, in discussions with Canada, that can be changed?

Hon. Mr. Fentie: Actually, it's not my decision to make, nor is it solely the government's decision to make. Here is another example -- contrary to this debate that has been held recently about consultation -- of just how thorough consultation is taking place in the Yukon. The northern strategy trust is administered by the Yukon Forum and the joint assessment body -- which is called a joint body -- which is a committee made up of two First Nation appointees and two Yukon government appointees. It is at the direction -- not of the government -- of the Yukon Forum that the joint body issue a call for proposals to First Nation governments and Yukon government departments for funding, consistent with the Yukon chapter of the northern strategy.

First Nation and Yukon government departments may also bring forward and champion project ideas from third parties such as NGOs, but in general terms, the public. The joint body assesses the proposals received on their merit and makes funding recommendations to the Yukon Forum -- not to government. Then the government accepts the final funding decisions. This is critical and very important: the government accepts the final funding decisions of the Yukon Forum. This is another example of our government-to-government partnership -- or, more important, the advancement of our government-to-government partnership.

Mr. Mitchell: I'm certainly not asking the Premier or the Yukon government to cut short consultation or to not have meaningful consultation. I am asking what the views of the government are, because the government does appoint the two members to the decision-making council, as the Premier has just explained. So I think it's relevant to ask what the Government of Yukon's view is as to how they are hoping this might move. Surely the government has a view. That's all we're asking for -- not to cut it short but whether the government would elaborate on what they hope to see come forward. So I'll ask it again, and perhaps the Premier will respond to that question.

Hon. Mr. Fentie: Well, Mr. Chair, I don't think the issue here is what the government's view is at all, because the direction, the final recommendations and the process are all conducted by the Yukon Forum. So I think the question should

be: what's the Yukon Forum's view? And that would mean that all the principals, the members of the Yukon Forum, would have to get together and discuss that.

So it's not an opinion that government is going to provide at all. We will continue under the process that I have outlined and allow the Yukon Forum, which is our governance model with two jurisdictions collaborating, and we'll allow the Yukon Forum to continue to do its work.

Mr. Mitchell: Well, Mr. Chair, time is short, and I have no desire to get into circular arguments. I will point out that we previously asked the Premier when the Yukon Forum will next meet, because it has been quite a few months since it last met. As the Premier has acknowledged, unless agreed otherwise, it should meet a minimum of four times a year. I believe the basic content of the Premier's answer to when it would next meet was that it would be soon. We don't know when the forum is going to meet, so we therefore can't ask what the forum's opinion is until it does meet.

I only have a few more questions for the minister. Cabinet offices -- we did see a 14-percent increase. We're now over \$2 million for the Premier's staff. The Premier has expanded Cabinet to eight members, a decision costing Yukoners more than \$100,000 a year in extra staffing costs one way or another. So this budget is up 14 percent over last year. Is it strictly because of the addition of a new Cabinet position, or are there other new positions not directly in support of the additional Cabinet member that are adding to this?

Hon. Mr. Fentie: With respect to the next meeting of the Yukon Forum, the information available to date shows that the Yukon Forum in September -- if the date can be firmed up -- will meet to accept recommendations from the joint committee on northern strategy. That's the date ahead -- September -- when that may happen. I'll also be meeting with the Grand Chief on Tuesday next and one of the items on the agenda, along with the capacity development and liaison branch, will be discussing and firming up a date for the Yukon Forum and discussing the intergovernmental forum.

On the increase of 14 percent, it is to cover two additional staff to support a new minister. We went to the max and appointed eight ministers to Cabinet. I've already gone through the reasoning for that -- we wanted ministers to have more focus in areas and portfolios of great importance to Yukoners. There's also a chunk to cover what would be deemed as merit increases. My understanding is that's an annual issue we have to address.

Mr. Mitchell: At least we do have a tentative date now -- September. There will have to be a lot of activity to get the final two meetings in the current year.

Since the minister raises his upcoming meeting with the Grand Chief, he had previously indicated he had a meeting scheduled for early this week -- I don't know if that meeting transpired or if this is a rescheduling of that meeting. Has he had an opportunity to discuss his government's decision to appeal the Veale decision in the interest of, as he put it, seeking clarity and which portion of the words "meaningful consultation" he felt were unclear? The minister has twice now made reference to legal opinions. Today he may have made reference

to three separate legal opinions. Will the minister share those opinions with the opposition so we can better understand why the government feels they're obligated to appeal this decision and that it wasn't clear enough for them to conduct meaningful consultations, not courtesy consultations?

Hon. Mr. Fentie: Well, the member has just demonstrated why we're not going to share the legal opinions. We are going to allow the appellate court to do its work -- full stop.

The member has drawn a lot of conclusions and assumptions from a judge's ruling. That is at the member's peril. It is certainly not what the government is going to do. We're going to exercise our obligations as we are elected to do. When it comes to the justice system, we will allow it to run its course, as we are obligated to do.

The issue of appeal is due process. It will continue until the matter is dealt with in the courts. It is a simple thing to understand, Mr. Chair, at least from the government's side. We don't interfere in justice, draw hasty conclusions or ever preempt or preclude justice in any way, shape or form. The member opposite already has and that is unfortunate. It is something that the member should have been well aware of before coming to this House and making the assumptions and assertions that we've been listening to. They serve absolutely no purpose, because there hasn't been closure or finality brought to the matter. That will happen in the courts and certainly not in this House. This is not the place for it, nor should it ever have been in here.

Mr. Chair, I am not going to debate consultation with the Leader of the Official Opposition any more. If the member wants to extend this sitting for the next six months, we can then go over, item by item, all the areas of consultation that have taken place. The last comment I am going to make on this matter is, if the member were interested in the process here, he would know that the Paulsen matter went through what was, on that day, the acceptable mechanism called LARC -- the Land Application Review Committee -- of which the First Nation that is taking issue is a member. A lot of work was done on this application, which included addressing concerns brought forward at LARC and reconfiguring the overall application itself.

If that doesn't define consultation for the member opposite, I would suggest that he avail himself of the *Webster's Unabridged Dictionary* and take it from there.

The discussions with the Grand Chief are always agenda items that are worked on beforehand. The Grand Chief is a very busy gentleman in undertaking his duties, as am I. We have officials who work on these matters. Once a date and an agenda are set -- we meet. On Tuesday, we'll be discussing Yukon Forum and intergovernmental forum. I will discuss with the Grand Chief any matter he wants to bring forward and I can say though that we try always -- the Grand Chief and myself -- to discipline ourselves to stick to agendas and get full use out of the time we have available together to go over issues of mutual concern.

Mr. Mitchell: I do want to respond to a couple of the comments that the Premier stated. There is no desire or intent to interfere with justice being done by asking the government about its intent or lack of intent to appeal a decision. We're not interfering with a court process. In fact, it's not before the

courts until such time as the appeal is filed. It is a legitimate question, when a court ruling comes out, to ask if the government accepts the ruling and will endeavour to redefine meaningful consultation.

I will point out that we've never tried to define it; it was the Chief Justice of the Yukon Supreme Court who said it has to be meaningful consultation and did not feel that, in this case, the LARC process to which the Premier refers met the bar. It's the Chief Justice who said so. We simply referenced it and asked how the government intended to move forward.

Government does have two choices: they could appeal or they could not appeal. The Premier has stated that he was obligated to appeal, that he had no choice, because he was forced to do so -- and of course he did have a choice. Obviously he does believe that the choice he has made is the correct choice, but to state that he could not do anything other than to appeal is to express his opinion and the opinion of his government.

Other people have expressed others.

Again, if the Premier would like to explain why he felt he had an obligation to appeal, I would look forward to that answer. Otherwise, there is no point in extending debate.

Hon. Mr. Fentie: Are we going to now redefine obligation and responsibility of public government? I hope not. The decision was made, and it's now in the hands of the appellate court, which will allow Justice to conclude its work. We will draw no opinions nor will we assume anything, nor will we try to articulate what any judge may have said or might say or did say. That's not our place. It's in the hands of Justice and they will deal with those matters.

The members opposite took a position that they accepted the judge's ruling. That's their choice and that's what they did. Now, they are going to have to wait anxiously to see what the outcomes will be because they have certainly locked themselves in on the matter, unfortunately. However, it's not our choice or issue to worry about on this side of the House. We are doing what we are obligated to do as a public government in ensuring we are meeting the public interest in general.

Mr. Cardiff: It has been interesting listening to this debate. I am glad we made it this far this afternoon. This is always an interesting department to debate. There are many important issues here.

I thank the Leader of the Official Opposition for the questions he asked. I thank the Premier for his opening remarks and the officials for their attendance here today. The briefing was very thorough, and that always helps.

One of the questions that came up earlier today, and I just would like a little further clarification on it, was around successor legislation. There's money in the budget for successor legislation. It was stated that forestry was the one that was being worked on. I'm just wondering what the plans are with regard to other resource-related, successor legislation -- what other pieces is the government currently working on or planning to work on?

Hon. Mr. Fentie: Mr. Chair, I don't think it's a question of what we plan to work on; it's a question of what we have to work on. So part of this whole devolution process goes this way. We have to accept mirror legislation in the first

phase. We have a period of time that we must go through, and then we have to develop successor legislation on specific legal instruments: forestry, *Waters Act*, *Lands Act*, *Quartz Mining Act* and so on.

At this stage, forestry is being worked on. At this stage, there is the common working group with First Nations and public government that has been struck, and I think at this point I'll just suggest that from that working group we will do some planning around the sequencing of successor legislation. The reason forestry is first on the list is there was no mirrored legislation for forestry; there was no forest act, per se, in DIAND's overall administrative mechanisms. So forestry was logical to proceed with, and this will be new -- frankly, the first-ever forest act for Yukon.

Mr. Cardiff: That actually brings up the other question that I was going to ask. The Premier and I had this discussion previously. I think I will now probably get an answer. What are the time frames? The Premier more or less indicated that there was a requirement to develop successor legislation. I would like to know what the time requirements are to develop that successor legislation.

Hon. Mr. Fentie: I believe that, through the long process to where we got to finally in 2003, there would be a five-year window. I don't believe it dictates that we begin successor legislation at the end of the five-year window. It just means that we have to get to work on things through the five-year window. It means that the mirrored legislation in all likelihood will have a five-year, or better, timeline in its existence until successor legislation has been completed and replaces the mirrored statutes, which are, by the way, federal bills. They are Yukon bills, but they are a mirrored copy of the federal statute. What we are going to do is develop made-in-Yukon law.

That said, I think we can all understand that in some cases it may take a lot of work with the public to get things right. For the first time, this is Yukon law. It is our opportunity to put legal instruments in place that do a number of things. It allows us the tools to responsibly manage lands, water and resources -- ensure that it is a legal instrument that meets the public interest and ensure that it is a legal instrument that is consistent with agreements like devolution and the final agreements.

There is a very complex set of parameters that we are going to have to work within. I think that the prudent course is to take all the time necessary to get it right.

Mr. Cardiff: I don't disagree with the Premier on this, but in order to get it right, we need to start. It's good to know there is a working group that is working on this. The reason I raised this question is because I raised this question previously and was told there was no deadline. It appears that maybe there isn't a deadline, but I think that if we don't start working on the successor legislation involving the public, we won't get it completed. We need to at least make a start. It's good to know that there has been a start. If there was a five-year window, that five-year window is closing rather rapidly.

One of the other pieces of information that we got out of the briefing -- and the Premier mentioned this -- is about the nine-year review of the land claim agreements. A couple of things that were being talked about -- I'm not sure I have this

totally correct -- was the adequacy of funding for First Nations for the implementation of their land claims. I believe the territorial government is sitting as an observer at the table for that, but there was also the Yukon government adequacy of funding for First Nations. It was being reviewed with departments. This is important, because I think all the work that has gone on before in negotiating land claim final agreements and self-government agreements -- unless there is the adequacy of funding and the will of both the federal government and the territorial government to work with First Nations to ensure that these agreements are implemented and that they can move forward as self-governing First Nations -- it is going to be a rough road.

I'm wondering if the Premier could give us a little bit of information about what's happening in that area. Is some success being achieved in moving forward there? Because I believe implementation of the agreements is crucial for our society in the Yukon to move forward. Could he give us a brief update?

Hon. Mr. Fentie: One of the positives that has taken place here is the time we have gone through since the first four First Nations signed their agreements, because it exposed something that is very important. That is the issue of resources required to fully implement. So, that said, that's why we -- with First Nations -- encouraged the federal government to make sure that, in this development of post nine-year review of a new federal mandate -- which is for implementation of the claims and self-government agreements -- this new mandate must, in the process of developing the new mandate, include the federal transfer agreements -- in other words, the fiscal arrangement between Ottawa and First Nation governments. We were successful in getting that on the table. There were recent successes for the first four First Nations, whose federal transfer agreement timeline had reached its limit and there was a great concern that there may be a net fiscal loss in resource capacity for the first four. That is not the case. In fact, I believe there was an increase to the first four in the neighbourhood of \$4 million more dollars. It's on an interim basis.

Some Hon. Member: (Inaudible)

Hon. Mr. Fentie: No, \$4 million total to be invested into the fiscal capacity of the first four First Nations.

That's an interim situation until the new mandate and a new financial transfer agreement has been developed and, of course, I guess I could say agreed to by First Nations. I don't think there is anything that dictates that First Nations have to agree on first cut on an FTA offer by the federal government.

Now, the Yukon -- the Yukon does receive monies on a recoverable basis for implementation. We expend those monies in the areas that we are obligated to. I think that's about a total of -- through the land claim and implementation secretariat, which is, of course, unfinished business but also implementation -- we're talking an \$8.6-million overall budget here.

I can give the member the recoverable amount from Canada, if the member wishes. That's an amount that is rigid because that's the amount we accept as one party to the negotiation. But it is the federal responsibility. They're the primary responsible government. So there is always a recoverable amount. There is a lot of material here. We can maybe dig that up for the member, if he needs it.

Here's the point: the amounts are consistent, year in, year out. Once we get to a new FTA with First Nations and understand where that's going, the Yukon government will have a much better understanding of what our level of obligation for implementation will be.

So the critical step here is the new federal mandate and the new financial transfer agreement with now 11 First Nations in Yukon.

Mr. Cardiff: I'd be interested in that information. The Premier doesn't have to stand up and deliver it. I'd be more than happy to receive it as a legislative return once the House rises.

The Premier mentioned that the federal government transfers money to the territorial government for land claims implementation and that it's a fixed amount. Is that amount in the new mandate? Is that amount negotiable with the federal government? Is the territorial government going to be able to see an increase in that?

Hon. Mr. Fentie: In the -- let's call it a "new era", because we are at the end of the first nine years. We will be entertaining a new agreement. Right now, this is what we have. I can give the member the number. Our recoverable from the Government of Canada for the land claims and implementation secretariat is \$3.4 million. It is less than half of the overall land claims and implementation secretariat's budget.

Mr. Cardiff: I'll thank the Premier for his answers. They help us understand this and I will look forward to hearing about the new fiscal arrangements with First Nations to ensure that the land claim agreements and self-government agreements are fully implemented.

The Premier mentioned earlier the stats branch and the fact that there were Yukoners who were missing. I am just wondering if we are having any success in locating where the national census went wrong. Are we any closer to finding out where these people went?

Hon. Mr. Fentie: I am pleased to inform the Member for Mount Lorne that we are having a great deal of success, thanks to the stats branch. I don't think they've ever lost a debate with Canada about the census. The undercount has been an instrument of great importance for Yukon.

We started this process after the census numbers came out, looking for approximately 1,200 Yukoners unaccounted for. I can inform the House that, at this point in time, Yukon stats branch has found -- if you want to put it that way -- 75 percent of the 1,200 Yukoners not accounted for in the federal census.

Mr. Cardiff: It's good to know that we found those. It does affect the transfer, but I hope we find the other missing Yukoners as well.

The Premier mentioned YESAA in his earlier remarks. I have some questions for the Premier regarding YESAA, as well. In his comments yesterday, I believe, when it was raised in the Legislature, the Premier talked about how important YESAA is. I would just like to put something on the record that relates to what was said yesterday. I don't know if this contradicts what the minister was saying yesterday, but the fact of the matter is that I was in Dawson for the Association of Yukon Communities conference. I was there for the portion of the meeting when the ministers were giving their presentations and

I was there for the questions and answers at that meeting. I did hear those comments -- that the government incurs difficulties on a regular basis with the YESAA process. There was a question raised by municipal officials and the minister did share that view.

I would also like to point out that at least two areas I managed to locate in the Yukon Party platform in the previous election related to the section on the economy -- one was providing land for all Yukoners. I would just like to note that in that section of the Yukon Party platform there was no mention of land use planning, but it had a section that related to resolving the problems with YESAA and in promoting resource investment -- again, resolve problems with YESAA and the Yukon *Waters Act*.

I would just like to know what the minister and the Premier and obviously the government viewed as problems. If this was a commitment they made during the election campaign to resolve problems with the YESAA, what problems do they see?

Hon. Mr. Fentie: I can clear up the matter for the Member for Mount Lorne but I would caution the member to be careful around the Official Opposition's interpretation of what is said anywhere.

In this matter, it is an issue that was actually brought forward by the chair of the Water Board. I believe it is a substantive clause issue in the legal instrument. It has to do with the question of concurrent process or consecutive process. If one looks at this on the basis of having two distinct areas of requirement here -- one is the *Yukon Environmental and Socio-economic Assessment Act* and all that fallout from the act in assessment; second is the Water Board and the *Waters Act* and their process. What we are looking at is, if an application comes forward and we need to go through consecutive processes, why can't we then look at changing that so that there is a concurrent process where any proponent can have a Water Board process ongoing and a YESAA process ongoing on the same subject matter or pertaining to the same application for land or resource or whatever?

That's one area that we view as problematic because it's a needless increase of timeline when the Water Board can efficiently conduct its work on the basis and merits of an application for a water licence and the YESAA can conduct its work on the basis or merits of an application for a specific project.

I hope that clears the matter up; however, I want to touch on what we're talking about here. We call it "delay". Fine; if we want to establish that assessments may cause delay in projects, that's also fine, but it is also in the eye of the beholder.

Many people may believe their project is delayed, but we have to be mindful that our obligation is directed and dictated by a federal legal statute. We must conduct the process as required.

If someone wants to say that's delaying projects, I would submit the delay is not necessarily a delay in the project, but is the work we must undertake to ensure that YESAA is doing the job it's intended to do. Are we saying here that YESAA is forevermore shaped exactly as it is? I don't think so, because I think there's good reason, as we go forward, for us to look at all types of legal instruments and regulatory regimes and policy,

always with the impetus to improve and enhance our ability to deliver programs and services to Yukoners, to ensure we are a place that is competitive for investment, to ensure we are addressing our social impacts through assessment and coming up with mitigating measures and adaptation, and to ensure that decisions are being made responsibly so we do not reduce our ability to sustainably manage our environment.

It's a pretty complex process. If someone wants to come up and say that a project has been delayed, I leave that as their opinion and would submit that we are required to follow due process here, and it is a federal statute.

Mr. Cardiff: I would like to thank the minister for that answer. I don't know why he didn't tell the Official Opposition that this was the problem they saw. I hope it is the only problem they see with YESAA. There is always room for improvement, but I would like to correct the record. I wasn't relying on the Official Opposition for their interpretation of what was said. If the Premier listened to what I said, I was in the room.

I will pass the floor over to my colleague here.

Mr. Hardy: It has been a long time since I addressed the Chair, so I may say "Speaker" occasionally.

I have very few questions, mostly just touching on things that have been discussed over the last few months. I would like some clarification from my perspective. I can take very short answers, as we are running out of time. This is actually for my information. I think we have 20 minutes left, so I would like to get these few questions in.

One very quick one relates to the Yukon Forum. Who is part of it? Are all First Nations part of it? I think that I heard at one time that there are still some First Nation governments that are not part of it.

Hon. Mr. Fentie: I want to establish first this fact: the forum is a venue or a mechanism for governments to come together. There are two established jurisdictions in the Yukon. It is predominantly self-governing First Nations. However, under the circumstances where the White River First Nation, Ross River Dena and the Liard First Nation have not concluded, they have the ability and right to participate in all Yukon forums, albeit not as defined as a self-governing First Nation at this time. All 14 First Nations have the right to participate in any Yukon Forum proceedings.

Mr. Hardy: I thank the Premier for that clarification. Now, the ones who do not have a self-governing agreement in place -- are they participating?

Hon. Mr. Fentie: Yes, most certainly, Mr. Chair. A most recent example of that is the development through the Yukon Forum of the joint investment plan for the northern housing trust. All First Nations participated except --

Some Hon. Member: (Inaudible)

Hon. Mr. Fentie: That's right. From time to time, some First Nations aren't present. But on this particular matter, all First Nations received an allotment. They participated in the Yukon Forum to establish the working group, which went to work on developing the joint investment plan. The result of the work was that we directly allocated \$32.5 million to First Nations in general. They themselves then went through a process

that divided up the \$32.5 million between each First Nation of the territory.

Mr. Hardy: Okay. Since the minister brought the northern housing trust up, has that money already been decided upon by the First Nations? Have the figures that go out to each one already been decided?

Hon. Mr. Fentie: Yes, it has. I will provide the member with a listing here, just so we can get right to the total amount and who gets what. Carcross-Tagish will receive \$2,253,388.20 in total, out of the \$32.5 million. This was done by the First Nations collectively. The Yukon government had absolutely no role or participation in this process.

The Champagne and Aishihik First Nations will receive \$3,148,313.09 in total. Tr'ondek Hwech'in First Nation will receive \$2,828,453.32; Kluane First Nation will receive \$1,666,541.82; Kwanlin Dun First Nation will receive \$2,456,304.05; Liard First Nation -- and here's a good example of a First Nation that is not self-governing, but is very much involved in the processes -- will receive \$2,833,212.93 in total.

Little Salmon-Carmacks First Nation, \$2,122,780.52; Na Cho Nyak Dun First Nation, \$2,130,204.66; Ross River Dena First Nation, \$1,994,111.63; Selkirk First Nation, \$2,276,206.61; Ta'an Kwach'an First Nation, \$1,682,748.11; Teslin Tlingit First Nation, \$2,341,539.53; Vuntut Gwitchin First Nation, \$3,108,294.65; and White River First Nation, \$1,657,900.86; for a grand total of \$32,500,000.

Mr. Hardy: I have a couple more questions just on this area actually. One I want to go back to is, do the two First Nations who do not have self-government agreements yet -- are they equated equal vote or are they on par with the ones who have self-government? You can go to a forum, you can be invited, you can be an observer status, or you can be a participant, but you don't have a final vote or anything. Are they equal?

Hon. Mr. Fentie: I can only define that by doing it this way: they are full participants, but they do not have a jurisdictional framework because they remain *Indian Act* bands. They don't have a self-government agreement, which provides a jurisdictional framework. It doesn't really complicate matters. I guess what I'm saying here is they're full participants on any Yukon Forum -- and by the way, we don't vote; we work on things and establish a common ground and then come forward with common solutions and resolutions to issues. Full participation is the best way to define it for all 14 First Nations in the Yukon Forum.

Mr. Hardy: Is there an accountability process attached to this?

Hon. Mr. Fentie: Accountability to the forum or accountability to the housing trust money?

Mr. Hardy: I should have clarified it. I had gone back to the housing trust fund. Is there accountability on the monies? You're talking about \$32 million something, which is pretty substantial. Is there some kind of accountability procedure?

Hon. Mr. Fentie: It's to ensure we are consistent with the federal terms and conditions for the trust fund in what must be invested in or must transpire with this money. The terms and conditions that Canada has put forward in establishing the trust

are somewhat general, keeping in mind it is a federal bill. It is a federal bill where the requirements have been established in federal law.

Mr. Hardy: When the numbers were being read off -- I'm from this industry -- and when it's divided up that way and goes out to the communities and First Nations, it really isn't a lot of money to try to replace or build new housing or do renovations, or do whatever is decided on to use that money by First Nations. That money does get spent very fast unfortunately, and the impact in the communities, while appreciated, would probably not be as significant to deal with some of the housing problems that exist.

There are many reports out there regarding the state of housing within First Nation reserves and First Nation governments, and it's a big concern. Has the territorial government considered contributing matching funds or other monies to go directly to the First Nation governments to help expand this program?

Hon. Mr. Fentie: No, at this time we are not matching funds at all. The allotment is a joint decision that has been made. I think we have to respect the fact that these are governments and they chose to take on the responsibility of working this out among themselves. Now they have the responsibility of ensuring that there is investment on the ground that takes place to address housing needs. This isn't the end of addressing housing needs in the Yukon, obviously, but it is certainly a good start over and above what we already have in place.

Then there is a second point to this. We have to recognize that not all First Nations in the Yukon are residing in their specific home community and thus may not fall under the auspices of a First Nation government. They are from another First Nation in the Yukon.

Part of the \$17 million in this arrangement will be addressing First Nation needs in other communities that wouldn't be addressed with the direct allocation to First Nation governments. It is part of the public government's responsibility and role, and we do that already in many cases through Yukon Housing Corporation, where First Nation citizens are clients and residents of affordable housing from Yukon Housing Corporation, and in some cases social housing.

We will be making an investment here with \$17 million that addresses housing through the northern housing trust, remaining consistent with Canada's requirements. But some of that will certainly be addressing further housing needs for First Nations who aren't residing in their home communities.

Mr. Hardy: I shouldn't get going on housing. Housing is a very sensitive issue with me, and I could probably spend the next five years talking about housing around here. It's going to take that much time to try to address the disaster that we call CMHC, what happened to it in 1993-94, and how it created a phenomenal shortage throughout Canada. It's something that I am very passionate about and feel very concerned about.

It's a shame that the housing situation in this territory is one of the worst in Canada, and among the First Nation communities, it's one of the worst. That should never have happened. I blame the federal government of that time for allowing

this situation to come about. But I'm going to shift off it because I could get stuck.

I've got a couple more questions and very little time. It goes back to the court case. It was a question I had asked the Premier earlier, and I never did get an answer from him. It is: was there concern expressed -- and I'd understand if there was or wasn't -- from other governments across Canada on the decision that was made by Judge Veale?

Hon. Mr. Fentie: I can respond to the member that, although I wouldn't necessarily define this as concerns, there was contact made by other jurisdictions, including the federal government on the matter, because it does have some resonance on the national stage and it does have some resonance with other jurisdictions, specifically those bordering the Yukon, like our sister territory, the Northwest Territories. They weren't expressing concerns, per se, as much as putting forward an inquiry into this particular issue.

Now, what is beyond this is entirely up to them. We will go forward with what we are doing as public government, but we cannot dictate to anyone -- any other government in the country -- who may want to get involved in this. They have a right to be an intervenor, for example, as we are in the Mackenzie Valley Land and Water Board. Yukon is an intervenor in the quasi-judicial process on the Mackenzie Valley pipeline. There may be interventions here that may include interventions from other First Nations. That is why we are talking about this in the context of needing to ensure clarity for public and First Nations collectively on what is a very comprehensive land claim and final agreement initiative and mechanism here in Yukon.

Mr. Hardy: I thank the Premier for his candid answer in that matter. It was my feeling that other provinces and territories would be very interested in the outcome of this court case and what direction the territorial government was going to take. When I initially brought this question forward, I asked if there was pressure or concerns. The Premier indicated that there were inquiries about what the status was of it, and where it is at. The ramifications of it do tie in with other court cases and decisions made and could be used in the future in other judgements, which would affect, of course, other provinces and territories. I think that's very legitimate. I believe the Yukon government would also be in that position to want to know if there were court cases in British Columbia, Alberta, or wherever, across the country, or in the Northwest Territories or Nunavut.

There obviously are differences of opinion from different political people in regard to the judge's decision and the judge's criticism within his decision. I am not asking the Premier for his own personal interpretation of it, because I don't think he will give that, and that probably is not appropriate. As has been said, it is going to go to an appellate court and probably it will get booted right up to a higher court level, again, to the Supreme Court of Canada, to take a look at it. That is my feeling about what will happen. I don't think the appeal court is going to try to deal with this one. But we will have to wait and see on that.

What advice made the Premier feel that he was obligated to move forward on this? Were the errors based upon the case presented by the territorial legal people, or was it based upon the judge's latitude in his decision?

Hon. Mr. Fentie: This is an important point, because it's fundamental in justice. We didn't seek or solicit advice. We went through a process internally, where a thorough review and assessment or analysis of the court's decision was made. Then we solicited two separate assessments from outside the Yukon. None of the three assessments were interconnected in any way. The three assessments were provided; they weren't advising us to do anything, save and except pointing out, under law, through their assessment, that there may have been errors in the decision -- not in the presentation or anything else -- but in the ruling itself -- there may be errors there. This is a very broad and complicated area, because it does import all kinds of other court rulings that could go back into the last century. The issue here is: that's why we the government said we are obligated. This is a necessary appeal to get through all this so that we have clarity, and if in fact these assessments prove in the appellate court to be correct in nature, there could have been errors in the ruling that obviously the appellate court may address.

We don't prejudge or draw any conclusion here, nor are we going to assume anything on this matter. We're turning this over to the courts, and we expect the courts to do their job -- go through this, conclude, and provide us with the clarity we seek, and address the other issues that may be part of the appellate court's process.

Termination of sitting as per Standing Order 76

Chair: Order please. The time has reached 5:00 p.m., on this, the 32nd day of the 2007 spring sitting. Standing Order 76(1) states: "On the day that the Assembly has reached the maximum number of days allocated for that sitting, pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each government bill before Committee that the Government House Leader directs to be called, shall:

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

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

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

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

It is the duty of the Chair to now conduct the business of the Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the Government House Leader to indicate whether Bill No. 6, the only government bill now before Committee of the Whole, should be called.

Hon. Mr. Cathers: Mr. Chair, the government directs that Bill No. 6 be called at this time.

Chair: The Committee will now deal with Bill No. 6, *First Appropriation Act, 2007-08*. The Chair will now recognize Mr. Fentie as the sponsor of Bill No. 6 for the purpose of moving a motion pursuant to Standing Order 76(1)(b).

Hon. Mr. Fentie: I move that all clauses, schedules and the title of Bill No. 6, entitled *First Appropriation Act, 2007-08*, be deemed read and carried.

Chair: It has been moved by Mr. Fentie that all clauses, schedules and the title of Bill No. 6, entitled *First Appropriation Act, 2007-08*, be deemed read and carried.

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

Motion agreed to

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$649,406,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$212,328,000 agreed to

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Schedule A

Schedule A agreed to

On Schedule B

Schedule B agreed to

On Schedule C

Schedule C agreed to

On Title

Title agreed to

Hon. Mr. Fentie: Mr. Chair, I move that you report Bill No. 6 without amendment.

Chair: It has been moved that Bill No. 6 be reported without amendment. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agreed.

Chair: I think the ayes have it. I declare the motion carried.

Motion agreed to

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

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 32, entitled *An Act to Amend the Ombudsman Act*

and the Public Service Group Insurance Benefit Plan Act and directed me to report it without amendment.

Further, Committee of the Whole has considered Bill No. 33, entitled *Act to Amend the Waters Act*, and directed me to report it without amendment.

Further, Committee of the Whole has considered Bill No. 34, entitled *An Act to Amend the Liquor Act*, and directed me to report it without amendment.

Further, Committee of the Whole has considered Bill No. 6, entitled *First Appropriation Act, 2007-08*, and directed me to report it without amendment.

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

All Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

"(i) receive a motion for third reading and passage of the bill; and

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

I shall, therefore, ask the Government House Leader to identify which of the bills now standing at third reading the government wishes to be called.

Hon. Mr. Cathers: The government directs that Bill No. 32, Bill No. 33, Bill No. 34, Bill No. 4 and Bill No. 6 be called for third reading at this time.

GOVERNMENT BILLS

Bill No. 32: Third Reading

Clerk: Third reading, Bill No. 32, standing in the name of the Hon. Mr. Hart.

Hon. Mr. Hart: I move that Bill No. 32, entitled *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act*, be now read a third time and do pass.

Speaker: It has been moved by the minister responsible for the Public Service Commission that Bill No. 32, entitled *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act*, be now read a third time and do pass. As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Agreed.

Speaker: The ayes have it. I declare the motion carried.

Motion for third reading of Bill No. 32 agreed to

Speaker: I declare that Bill No. 32 has passed this House.

Bill No. 33: Third Reading

Clerk: Third reading, Bill No. 33, standing in the name of the Hon. Mr. Fentie.

Hon. Mr. Fentie: I move that Bill No. 33, entitled *Act to Amend the Waters Act*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Premier that Bill No. 33, entitled *Act to Amend the Waters Act*, be now read a third time and do pass. As no debate or amendment are permitted, I shall now put the question. Are you agreed?

Motion for third reading of Bill No. 33 agreed to

Speaker: I declare that Bill No. 33 has passed this House.

Bill No. 34: Third Reading

Clerk: Third reading, Bill No. 34, standing in the name of the Hon. Mr. Kenyon.

Hon. Mr. Kenyon: I move that Bill No. 34, entitled *Act to Amend the Liquor Act*, be now read a third time and do pass.

Speaker: It has been moved by the minister responsible for the Yukon Liquor Corporation that Bill No. 34, entitled *Act to Amend the Liquor Act*, be now read a third time and do pass. As no debate or amendment are permitted, I shall now put the question. Are you agreed?

Motion for third reading of Bill No. 34 agreed to

Speaker: I declare that Bill No. 34 has passed this House.

Bill No. 4: Third Reading

Clerk: Third reading, Bill No. 4, standing in the name of the Hon. Mr. Fentie.

Hon. Mr. Fentie: I move that Bill No. 4, entitled *Third Appropriation Act, 2006-07*, be now read a third time and do pass.

Speaker: It has been moved by the Premier that Bill No. 4, entitled *Third Appropriation Act, 2006-07*, be now read a third time and do pass. As no debate or amendment are permitted, I shall now put the question. Are you agreed?

Motion for third reading of Bill No. 4 agreed to

Speaker: I declare that Bill No. 4 has passed this House.

Bill No. 6: Third Reading

Clerk: Third reading, Bill No. 6, standing in the name of the Hon. Mr. Fentie.

Hon. Mr. Fentie: I move that Bill No. 6, entitled *First Appropriation Act, 2007-08*, be now read a third time and do pass.

Speaker: It has been moved by the Premier that Bill No. 6, entitled *First Appropriation Act, 2007-08*, be now read a third time and do pass. As no debate or amendment are permitted, I shall now put the question. Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Fentie: Agree.
Hon. Mr. Cathers: Agree.
Hon. Ms. Taylor: Agree.
Hon. Mr. Kenyon: Agree.
Hon. Mr. Rouble: Agree.
Hon. Mr. Lang: Agree.
Hon. Ms. Horne: Agree.
Hon. Mr. Hart: Agree.
Mr. Nordick: Agree.
Mr. Mitchell: Disagree.
Mr. McRobb: Disagree.
Mr. Elias: Disagree.
Mr. Fairclough: Disagree.
Mr. Inverarity: Disagree.
Mr. Hardy: Disagree.
Mr. Cardiff: Disagree.
Mr. Edzerza: Disagree.
Chair: Mr. Speaker, the results are nine yeas, eight nays.
Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 6 agreed to

Speaker: I declare that Bill No. 6 has passed this House.

We are now prepared to receive the Commissioner, in her capacity as Lieutenant Governor, to grant assent to certain bills that have passed this House.

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

ASSENT TO BILLS

Commissioner: Please be seated.

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

Clerk: *An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act; Act to Amend the Waters Act; Act to Amend the Liquor Act; Third Appropriation Act, 2006-07; and First Appropriation Act, 2007-08.*

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

I would like to say a few words before you leave for your summer break. I would personally like to thank everyone for their commitment and work on behalf of their constituents and the Yukon. It is an unusually late sitting and I know you are very ready to be with your families and to enjoy our beautiful Yukon summer. During the visit of the Governor General of Canada, her Excellency the Rt. Hon. Michaëlle Jean, beginning this Sunday, I am sure I will see many of you at all functions and at various functions. Keep safe and well wherever your travels take you. Have a great summer.

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

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

The House adjourned at 5:17 p.m.

The following Sessional Papers were tabled June 14, 2007:

07-1-29

Yukon Development Corporation: Protocol re Government of Yukon's interrelations with YDC (Lang)

07-1-30

Yukon Energy Corporation: Protocol re Yukon Development Corporation's role as sole shareholder of YEC (Lang)

07-1-31

Yukon Development Corporation and Yukon Energy Corporation: Shareholder letter of expectations 2007-2008 between corporations and the minister responsible for (Lang)

07-1-32

Yukon Mine Site Reclamation and Closure Policy (dated January 2006) and *Quartz Mining Act*, Security Regulation OIC 2007/77 (Lang)

The following documents were filed June 14, 2007:

07-1-28

Yukon Party repetitive practice of finger pointing instead of assuming responsibility (Mitchell)

07-1-29

Yukon Party closed media access (Mitchell)

07-1-30

Yukon Party misrepresenting positions of other parties (Mitchell)

07-1-31

Yukon Party refusing to disclose contractual amounts (cell contract) (McRobb)

07-1-32

Yukon Party failing to respond to the essence of questions (McRobb)

07-1-33

Yukon Party refusing to consider a 2,517-name petition before finalizing the RSF (McRobb)

07-1-34

Yukon Party politicizing tributes (Elias)

07-1-35

Yukon Party ministers hiding behind public servants (Elias)

07-1-36

Yukon Party unnecessary repetition of speeches by ministers in budget debate (Elias)

07-1-37

Yukon Party refusing to answer budget-related questions in budget debate (Fairclough)

07-1-38

Yukon Party early adjournment of the House (Fairclough)

07-1-39

Yukon Party refusing to give budget line breakdowns (Fairclough)

07-1-40

Yukon Party refusing to table documents in the public interest (Inverarity)

07-1-41

Yukon Party calling departments without briefing materials being provided (Inverarity)

07-1-42

Yukon Party invoking closure on private member's bill (Inverarity)