

Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, April 19, 2012 — 1:00 p.m.

Speaker: I will now call the House to order. At this time, we will proceed with prayers.

Prayers

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of Earth Day

Hon. Mr. Dixon: This Sunday, April 22, will be the 42nd year that people have taken the time to reflect on and celebrate Earth Day. The original Earth Day was in 1970, and it was an American event that became a success because of the spontaneous grassroots response. Many events were organized by local community groups and university students, and that tradition continues to this day in countries around the world. Some consider that movement in 1970 as the birth of the modern environmental movement. Earth Day events are often cited as the starting point for environmental concepts that are now part of our daily lives — recycling, clean energy, clean water and climate change.

The Yukon government's response to climate change is being highlighted in Quebec City at a Northern Forum workshop hosted by the Province of Quebec. As well as speaking to the workshop's theme of climate change in northern and Arctic regions, we'll also outline our efforts to finding solutions to permafrost degradation.

Staff of the Department of Highways and Public Works will be there to present a report on the permafrost research work this government has done on the Alaska Highway near Beaver Creek. This climate change research, begun four years ago using 12 different test sections along the highway, will help us and other northern regions meet the construction, maintenance and cost challenges associated with permafrost. Over the long term, we want to have options so we can mitigate permafrost degradation.

The Climate Change Secretariat director is also at that conference to report on the Yukon government's initiatives to enable effective adaptation to the changing climate. He will outline the climate change impacts we are experiencing here, and how they are threatening the structural integrity of buildings and highway infrastructure, impacting on communities and traditional ways of life, damaging heritage sites and increasing risks, costs and impacts of forest fires.

Next week we will be participating in the International Polar Year Conference in Montreal, along with 2,000 Arctic and Antarctic researchers, policy-makers and decision-makers. They will be joined by a broad range of interested representatives from academia, industry, non-governmental organizations and circumpolar communities. We will be sharing booth space

with Yukon College to underscore the climate change research being carried out in Yukon and show the international audience why Yukon is an excellent place to conduct climate change and cold-climate research.

While it was the young people in the 1960s and 1970s who embraced Earth Day, so too the young people of today, concerned about climate change and the type of world they will live in years from now.

Engaging youth in climate change issues has been one of the many activities carried out by the Climate Change Secretariat over the years. This year the secretariat partnered with BYTE, Bringing Youth Toward Equality, which produced a video to get youth input on climate change actions in Yukon.

As I mentioned earlier in the session, we will be welcoming delegates from across the circumpolar north to the international youth Eco Forum on Climate Change. The theme is "Creating Balance in our Changing Climate". It promises to be an exciting opportunity for the young people to learn our concerns on how our part of the world is feeling the effects of climate change. My hope is that when they think of Earth Day next year, they will remember what they saw and experienced here.

The Climate Change Secretariat has also championed a new annual environmental stewardship award to celebrate a Yukon government employee who makes the effort to achieve a more environmentally sustainable workplace through independent actions or by encouraging others to take action. This award gives practical effect to Environment Yukon's value that we are the stewards of the environment and act in the public interest. The current plan calls for the award to be presented in December, with the winner receiving a certificate and a one-year Yukon parks annual camping permit.

Whether you live in Dawson City, St. John, New Brunswick, the Republic of Congo in Africa, Bangkok, Thailand or any of the 192 countries across the world, you can be one of the billion people who will find an activity or an event related to Earth Day.

Across Canada, in every province and territory, people are being encouraged to carry out one small act in which they can make a difference — using tap water in your own bottle or replacing incandescent light bulbs with compact fluorescent bulbs, walking, cycling, carpooling and using public transportation, reducing idling and maintaining correct tire pressure when driving. We all know that every day should be Earth Day and that we as individuals can make a difference, whether it is in supporting local recycling centres and recycling initiatives or adopting energy efficiency initiatives so that we can adapt to climate change impacts here. Thank you, Mr. Speaker.

Ms. White: I rise on behalf of the Official Opposition to pay tribute to Earth Day. Mr. Speaker, Earth Day has been observed around the planet for the last 42 years. The founding of Earth Day was set against the backdrop of Rachel Carson's seminal work, *Silent Spring*, a work that exposed the linkages between blind obedience to technology and development — in this case, pesticide use, and the very real and unintended con-

sequences inflicted on the environment and therefore upon ourselves. Imagine a spring without bird song.

Mr. Speaker, it was also a time when the testing of nuclear weapons, the extinction of species and the wanton destruction of habitat forced upon us a growing realization that we are connected in deep ways to the health of our planet.

We know that without a healthy environment, we cannot have a healthy society or a healthy economy. This knowledge is now a regular part of our conversation. What matters now is that we care and, therefore, we act.

Today I would like to focus on our connections to the land and the planet. All of us have a favourite place, whether it is that spot in your backyard with a bird feeder, a bench in dappled light or that lookout with views that go on forever. It may be a favourite creek running with grayling or it may be that biking trail. It could be a small, localized place or pristine watershed. We have a connection to those spots; they speak to our soul. They represent a bond between the person and the land, a recognition that we are not just an isolated body but a part of the greater whole.

Here's a Zen poem that captures this thought:

"Mountains are mountains, rivers are rivers.

"Mountains are not mountains, rivers are not rivers.

"Mountains are again mountains, rivers are again rivers."

We see a mountain as a separate thing, but we need to take a step back and see the mountain and the river linked, connected or even blurred together before we can see the mountain or the river as it is really is. This connection and these special places are the things that we hold dear. These are the things that we desire to protect and sustain when we celebrate Earth Day.

Mr. Elias: I rise today on behalf of the Liberal caucus to pay tribute to Earth Day 2012. Earth Day is the largest, most celebrated environmental event worldwide. More than six million Canadians join with millions of people all over the world in staging events and projects to address local environmental issues and celebrate the importance of our planet's natural systems. Earth Day is a time to honour our planet and living things that inhabit it and to inspire awareness and appreciation for Earth's environment.

Today, as we celebrate our Earth's many gifts, we must renew our personal commitment to support and respect our environment. In Canada, Earth Day has grown to Earth Week and even Earth Month to accommodate the profusion of events and projects. In Yukon, Biodiversity Awareness Month, National Wildlife Week, the Celebration of Swans and Earth Day are all part of our celebrations in honouring our environment and raising our awareness of environmental issues.

The world continues to face climate and environmental change and changes in the way land is used. We are currently surrounded by environmental challenges as our daily actions contaminate, pollute and degrade the Earth's environment that humans and wildlife depend on to survive.

The Earth belongs to all of us, and we must demonstrate our commitment to help protect and sustain it. We in the north are the barometer of climate change and global warming, which

is a threat to our environment. One place of note is obviously the Arctic. It is warming twice as fast as the rest of the globe. We have entire ocean regions that have previously been closed to the world now opening up.

A changing climate means insects as well as plants and other animals that have not traditionally been in the north, thanks in part to our cold waters, will be able to migrate from the south and can have a profound effect on our environment. Extreme weather is also on the rise and signs of climate change are very evident, not only here, but all over the world. We live in a fragile society that depends on Mother Earth for its bounties.

We must work hard to improve the ailing state of our world's environment and become better stewards of our land. We must educate our young people about the plants, animals and ecosystems and the role that each plays in our environment. Our children learn from the examples we set for them.

We would like to congratulate the Yukon Conservation Society and acknowledge the dedication and hard work of the society and many other environmental NGOs and their volunteers. We thank you for your contributions to conservation and bringing environmental initiatives to the forefront, thereby helping protect our territory's environment. Thank you also to the many Yukoners who contribute each and every day to protecting our environment. We also recognize and thank our schoolchildren and schools throughout the territory who participate each year in Earth Day. With our young people reminding us to care for the Earth, there is hope for the future. Let us pay tribute to our planet and work hard to achieving local solutions.

I encourage all Yukoners to be responsible citizens and be respectful of our environment by being more conscious of the way that we use our energy, water and fuel consumption. By reducing, recycling and reusing, we can help decrease our own carbon footprint. We must all do our part to protect Mother Earth for the next generation and for generations to come.

Something that resonated with me — I believe it was back in 1997, when I was Canada's youth representative for the United Nations on the Conference on the Environment in New York City, I was approached by a Mohawk — I believe it was a Mohawk elder — and he said that everything in its own way expresses a vitality to live, whether it is the Arctic poppy that follows the sun; whether it is the fish that darts away from us; whether it is the moose that runs from us — everything in its own way expresses a vitality to live. And those words resonated with me, and I always remembered them, and they are very strong. So I would like to put that on the floor of the House today. So please join in this celebration of Earth Day, and I encourage everyone to get involved. Thank you.

In recognition of the Bridge Building Competition

Hon. Mr. Kent: I rise today on behalf of all members of this Assembly to pay tribute to the 19th annual Bridge Building Competition, which was held on Saturday, April 14 at Porter Creek Secondary School gym.

This competition is open to students in grades 4 to 12; there is also an open class for families and the general public. The event is the direct result of a partnership between Science

Adventures at the Yukon Research Centre and the Association of Professional Engineers of Yukon, working together to help students understand how engineering is important to all of our lives. It was a pleasure for me to attend this past weekend and see the sophistication, craftsmanship and attention to detail that went into these bridges.

Over 130 students and members of the public worked on building 80 bridges. All participants did an outstanding job and should be very proud of their accomplishments.

I do want to take a moment to congratulate the winners in each category. For the grade 4 to 5 category, Cassie Smith and Savannah James of Carcross were the winners; grade 6/7, Siggie Conroy and David Wally, also of Carcross, were the winners there; in the grade 8 to 12 category, Cameron Cottrell-Tribes was the winner from Porter Creek Secondary School; and in the open competition, Wade Stewart and Kevin Bayne of Carcross were the winners. Their bridge carried an impressive 107.8 kilograms.

I encourage everyone in this House to visit the competition website to learn about the wonderful bridges built this year and the other special awards given to teams and participants, who built the best looking or lightest bridges or offered the best narratives to accompany their creations. Mr. Speaker, I want to thank all the competitors, organizers, volunteers, sponsors and the teachers, including those who travelled in from Dawson City, Haines Junction and Carcross, for their commitment and hard work. I certainly look forward to seeing more bridges at next year's 20th anniversary. Thank you.

In recognition of Grandmothers to Grandmothers campaign

Ms. Moorcroft: I rise on behalf of the Legislative Assembly to pay tribute to a group of elder women and grandmothers who work on the Grandmothers to Grandmothers campaign. Grandmothers to Grandmothers is a Canadian organization founded by the Stephen Lewis Foundation. Mr. Lewis once served as the special envoy for HIV/AIDS in Africa for the United Nations. In response to the insights he brought back from his work in Africa, the Stephen Lewis Foundation established the Grandmothers to Grandmothers Campaign as one of its programs. It cares for millions of children orphaned by AIDS. In many countries throughout southern Africa, it is estimated that between 40 to 60 percent of orphans live in households headed by grandmothers.

Grandmothers in the hardest hit areas in Africa began caring for their grandchildren with almost no support. Even while they grieve the loss of their own adult children, the grandmothers show astonishing reserves of love, courage and emotional resilience while coping with their own deteriorating health. These courageous women have become activists and advocates pushing for their own and their grandchildren's rights and protection, and they are becoming small business owners in order to earn a living for their families.

The grandmothers, while being a cornerstone of village life in small communities in Africa, have also become the lynchpin of survival for their families and communities. Grandmothers are being recognized as community experts and agents of change by governments and international aid agencies.

In a short six years, Canadians have raised \$13.5 million for the grandmothers in Africa. The campaign money is given directly to projects that have been developed at the grassroots of African communities by Africans themselves. These investments provide grandmothers and the children in their care with supports such as food, educational supplies, uniforms and school fees, medical care, HIV counselling and testing, adequate housing and bedding.

Grandmothers to Grandmothers has helped to establish counselling services and support groups, home visits and a wide variety of projects in support of the care given by grandmothers. It is a simple idea with far-reaching effects for the children of Africa and their future. The local branch of Grandmothers to Grandmothers has two major fundraising events each year, spearheaded by former MP, Audrey McLaughlin. The spring fundraiser is the fashion show, tea and silent auction this Saturday afternoon. Doors open at 1:30 p.m. at Mount McIntyre. I hope to see many there from this House.

In recognition of Yukon Writers Festival

Hon. Ms. Taylor: As Minister of Community Services, and on behalf of all members of the Assembly, it gives me great pleasure to recognize the 22nd annual Yukon Writers Festival, known as "Live Words". Each spring, Yukon residents come together with local and visiting writers to celebrate Canadian writing. Yukon's abundant literary talent is part of our culture and history. The festival helps expose Yukoners to Canada's finest authors and encourages Yukon writers to pursue literary success at all levels. The festival is Yukon-wide, with events taking place in Yukon communities, as well as here in Whitehorse.

Alongside the festival is the 33rd Young Authors Conference, which takes place here today and tomorrow at F.H. Collins High School. Students from across the territory take part in this particular event. For our young writers, it is a unique opportunity to write and to be coached by accomplished Canadian writers. Strong support from national organizations, local community groups and businesses help make the festival happen. I'd like to thank the many partners and sponsors who have collaborated over the years to ensure the success of the Yukon Writers Festival.

Financial support from this government, as well as the Canada Council for the Arts, and the Writers Union of Canada, make it possible to bring writers to Yukon from across the country. Special appreciation is due to our Yukon festival committee and our many volunteers. Their love of the written and spoken word, combined with their hard work, ensures a successful event. The festival is produced this year by the Public Libraries branch, Public Schools branch, Yukon Science Institute, and Junction Arts and Music Society.

Finally, I would like to remind Yukoners that the festival is open to everyone. Program information for events taking place throughout the territory is available through the local media, and at Yukon public libraries. Again, I invite all Yukoners to enjoy this year's Yukon Writers Festival.

Speaker: Introduction of visitors.
Are there any returns or documents for tabling?

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

NOTICES OF MOTION

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

THAT this House urges the Government of Yukon to continue to promote experiential learning.

Ms. McLeod: I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to provide home schoolers with access to program resources and funding.

Ms. Hanson: I give notice of the following motion:

THAT this House urges the Government of Canada to reassess the cuts contained in the recently tabled federal budget, paying particular attention to the impacts on front-line service delivery in the Yukon that so far include cuts to:

- (1) Veterans Affairs and the impacts on Yukon veterans in terms of reduced casework abilities;
- (2) CBC and the impacts on Yukon through job loss and a reduced operating budget at CBC North;
- (3) Canada Revenue Agency and the impact on front-line services to Yukon small businesses; and
- (4) Office of the Surveyor General and the impacts on ensuring timely land transactions.

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

THAT this House urges the Minister of Health and Social Services and the minister responsible for the Yukon Housing Corporation to assist the Canadian Prenatal Nutrition program and Child Development Centre, which provide valuable prenatal and early childhood support to Dawson City families, but whose current space lease is expiring without renewal, to find new accommodations as soon as possible.

Speaker: Is there a statement by a minister?
 This brings us to Question Period.

QUESTION PERIOD

Question re: Dawson City waste-water facility

Ms. Moorcroft: The minister responsible for contracts has some explaining to do about contract administration in Dawson City. The Dawson waste-water treatment project has a long and murky history, beginning in the early days of Yukon Party rule in 2003. In 2003, the Yukon Territorial Court ordered a new sewage plant be built after the municipality was charged under the *Fisheries Act* for pumping sewage into the Yukon River.

Now we see, in a letter to the editor from a subcontractor, that the government is withholding payments to Corix B.C., the company awarded the contract to build the treatment plant.

Can the Highways and Public Works minister confirm that the Yukon government has withheld payments to the contractor and provide some details about how they will resolve the dispute between the contractor and subcontractors so the job gets done and workers get paid?

Hon. Mr. Istchenko: I'd like to thank the member opposite for that question.

We have identified that there are some concerns raised by the subcontractor about the timeliness of payment. Corix and the general contractor are aware of the importance of this issue, and we are also aware of this issue.

Financial protection for unpaid subcontractors is available under contract regulations. It is where we hold money back and from the bonding companies. Yukon government staff does not have the role in the resolution between contractors. This issue is something that is before the courts. We hold the money in trust until the issue is dealt with, and then we forward payment.

Ms. Moorcroft: This project has a long and complicated history and the Yukon Party has been along every step of the way. The court ordered the city to have a new plant built by December 31, 2004. That was extended to 2008, after it was discovered that the technology that the government was installing would not work for Dawson. Another extension was given until December 2011, when it was discovered that the plant could not be built at the location the territory had picked. Now we have a major contract dispute.

Given the latest problem to plague this project, does the ultimate project manager responsible — that is the Minister of Highways and Public Works — have a new date that the public can expect the project to be completed?

Hon. Mr. Istchenko: Construction is continuing on this project. The related issue we were discussing before is one of the issues that is there, but the court has ordered that the plant be operational by December 31, 2012, and we're working as hard as possible to get it up and running by that date.

Ms. Moorcroft: Well, it's hard for work to proceed if subcontractors aren't getting paid and aren't working. When the contract was awarded to Corix B.C., there were many questions raised. Five companies qualified for the bidding process, but only two bid on the job: Whitehorse-based Ketz Construction and Corix Utilities out of B.C. Ketz was turned down. Ketz's bid to build the waste-water treatment facility came in at \$16.5 million. Corix bid \$25 million and won the job for this design/build project. After 13 change orders, the Yukon government has paid \$26.6 million to date, and now we have hit another bump in this long saga.

Is the government anticipating a lengthy court process with the contractor, and what will this mean to the cost and completion of this court-mandated project to keep raw sewage out of the Yukon River?

Hon. Mr. Istchenko: The government is not in court with the contractor. There is a dispute between subcontractor and contractor, where the government, as I said before, withholds payments until the dispute is resolved, and then payment is put forward.

Question re: Species at risk legislation

Ms. White: This Sunday is Earth Day. It's one thing to talk about the importance of the environment; it's another thing to act. I believe that the time for talk is past and we need action. Last week, I raised the issue of the Yukon's lack of species at risk legislation. The minister responsible said, "We are assessing, based on their experiences ... our need for species at risk legislation."

Now, Mr. Speaker, are we to understand that the Minister of Environment is saying that Yukon may not develop its own species at risk legislation?

Hon. Mr. Dixon: Thank you, Mr. Speaker, and thanks to the member opposite for the question. We have discussed this before, as I said. As I said last week, there are a number of mechanisms for identifying species at risk, both federal and territorial. At this time, we feel that Yukon government has sufficient tools to deal with and manage our species at risk.

When it comes to the development of legislation relating to species at risk, we are looking to our neighbours in other jurisdictions, such as the provinces and Northwest Territories, as well as Nunavut, which has species at risk legislation. Many of those jurisdictions are revisiting their legislation. So we are taking some time to observe what they are doing and learn from their experiences.

Ms. White: I'll remind this House again that the Yukon government signed, along with the rest of Canada, the accord for the protection of species at risk.

The accord called on all signatories to, and I quote: "establish complementary legislation to provide for effective protection of species at risk". This government seems to have an aversion to legislation that would protect species at risk in the Yukon. The U.N. *Convention on Biological Diversity*, to which Canada is also a signatory, calls for actions to protect biodiversity and species at risk.

I ask the minister opposite again: Will this government live up to its national and international obligations and create a species at risk act?

Hon. Mr. Dixon: I think we are living up to our obligations. We are managing our species at risk quite well. We have a number of initiatives, delivered through the Department of Environment, as well as other departments, to manage Yukon's wildlife populations, including species at risk.

In the specific case of Yukon's species at risk legislation, as I said, we are looking to other jurisdictions that have species at risk legislation and have issues with it. Their experiences are offering us some information from which we can learn. So we are taking some time to review that. In the meantime, there are a number of species that are protected through the *Wildlife Act*. As well, we have made investments in our chief veterinary officer to ensure that Yukon's domestic and wildlife populations are healthy and sustainable.

Ms. White: If Yukon does not have legislation to protect both the species at risk and their habitat, this will lead to very real and unfortunate consequences.

The federal *Species at Risk Act* requires Canada to step in when provinces and territories fail to protect species at risk and their habitat, something that most other jurisdictions have

avoided by creating their own species at risk legislation. Is it this government's preferred option to leave Yukon wildlife and habitat decisions to Ottawa?

Hon. Mr. Dixon: Well, Mr. Speaker, the member opposite refers to the federal government stepping in and that's exactly the issue we have seen in other jurisdictions. For instance, with the issue of polar bears in Nunavut, the federal government has stepped in over top of Nunavut's legislation. This is a case where we want to make sure we have the proper legislation in place to work collaboratively with all governments, including the Government of Canada, to ensure that we protect and manage our species at risk. As I have said, we have taken considerable steps to manage a healthy, sustainable wildlife population in the Yukon and that is what we are focused on.

Question re: Affordable housing

Mr. Silver: Some residents are being stymied as they try to build their homes in the Yukon. They are being caught in a gap between higher and lower values for their houses. The higher amount is what it would cost to build the home. It is also the amount the banks will give for a mortgage to lend based on the person's income and credit history. The lower amount is the amount the proposed home is appraised at, which is primarily based on similar homes already in those communities. There can be a huge difference between the two. Since banks won't lend more than the appraised value, residents cannot borrow the amount that it would cost now to build.

Has the minister responsible for the Yukon Housing Corporation heard of this problem? If so, what is the department doing to help Yukoners caught in this situation?

Hon. Mr. Kent: The Housing Corporation has really three primary responsibilities: to provide social and senior social housing throughout the territory, to address staff housing issues for those Yukon government employees who reside outside of Whitehorse and, of course, comprehensive loans and repair and upgrade program. In this current budget, we have \$7.15 million for home ownership loans and \$2.57 million for repair and upgrade. The corporation traditionally receives about 50 home ownership applications and 100 repair and rental applications each year. So this is the type of action that we're taking through loans for consumers to address their concerns about home ownership.

Mr. Silver: What I know is that this is basically a new concept that we're just identifying up in Dawson. It's something for which we want to identify a particular answer.

Mortgage lenders must be convinced that if the borrower defaults they can get their money back by selling the home taken as collateral. They limit their risk by being overextended by not lending above the appraised amounts. Because of this, the appraiser must be extremely conservative. The value they place on the new proposed home is based on comparable existing homes and the appraiser must devalue these homes the older they get. So a bank may be willing to lend \$400,000 based on someone's income and the cost of building, but the cost-comparable homes are only valued at \$250,000. The mean difference here is \$150,000 that the home builder cannot borrow.

Would the minister consider implementing a bridging program that guarantees the gap between the appraisal and the building values?

Hon. Mr. Kent: As the programs exist today, the home ownership program allows clients who are not able to access bank financing to buy an existing home or build a new home. The home repair programs allow eligible homeowners to access loans to repair and/or upgrade their existing homes. There are rental improvement programs that allow eligible owners of rental suites or rental properties to access loans to repair existing rental units or build new units. The Yukon Housing Corporation, of course, also administers the land sales program, which allows Yukoners to purchase land and pay over a set period of time.

As I mentioned, there is a significant portion — well over half of the capital vote for the Yukon Housing Corporation — that is identified for repair and upgrade and home ownership. These are the types of programs that are currently offered by the Yukon Housing Corporation and what we intend to continue to do.

Mr. Silver: With all due respect, we are bringing forward a new issue here and we would like a new answer.

In smaller communities, there are few homes that would appraise at the cost of building to a comparable comfortable home today. There also isn't a lot of movement in the real estate market, so appraisers cannot get current information on home values that way. The situation is going to get worse before it gets better, as high lot prices drive up the cost of building. I have heard that residential lots in Dawson City's north-east section cost \$70,000 to \$150,000 to bring to market. The mayor recently said that the Yukon government is offering lots outside the city at 10 times their value. If houses in the communities are appraised at \$250,000 and it costs \$115,000 for the lot, that doesn't leave a lot of money with which to build.

Is the government driving Yukoners out of the mortgage market with higher lot prices and would the government also find a way to bridge the gap between these?

Hon. Mr. Kent: As I mentioned, the current programs offered through the Yukon Housing Corporation address home ownership, rental upgrades, repairs and those types of services for Yukoners. That is what they are currently offering.

I am pleased to let members know — and I think I have done so already on occasion — that the Yukon Housing Corporation is embarking on the renewal of their five-year strategic plan, where they will look at how services are delivered and what types of programs we offer, perhaps looking at best practices and other programs offered in other jurisdictions.

I look forward to the leadership of the chair of the Housing Corporation, and the president and staff of the Housing Corporation, coming up with a plan for the next five years that reflects the realities of the housing situation in the Yukon today.

Question re: Family violence prevention

Mr. Silver: New question. I am going to switch gears here and put on a different hat. We have a serious family violence issue in the Yukon and we would like to bring forward some initiatives that are successful in other parts of Canada. The Institute for the Prevention of Crime housed in the Univer-

sity of Ottawa has found that using a health promotion framework with young people can prevent later violence in relationships. That is, young people are not simply encouraged to just avoid violence; instead, they are taught general skills for making healthy choices and resisting unhealthy pressures. Educators then expand on those skills by using specific relationship and violence scenarios to bring them to life.

Can the Minister of Education tell us if there are any health promotion style anti-violence programs currently being used in the Yukon?

Hon. Mr. Kent: There are a couple of different programs that I'd like to identify, the first being Challenge Day. That program was developed in the U.S. and was designed with the goal of helping students increase their personal power and self-esteem, to shift dangerous peer pressure into positive peer support and to eliminate the acceptability of teasing, violence and all forms of oppression.

In partnership with the Department of Health and Social Services, there was also a health behaviour study. The survey results are considered important by the different departments because they offer means of providing a wealth of information that could guide health promotion programming, curriculum development and selection and school policy. This is, of course, included in the Department of Education's annual report that was tabled earlier on in this sitting.

Mr. Silver: I thank the minister for the answer. Our stats are saying that we are currently in some dire straits. Children who are exposed to violence in the home are more likely to exhibit violent behaviour as they grow into adults. Due to this exposure, they are more likely to perpetuate violence against their spouses. According to the Canadian Research Institution for the Advancement of Women, a minimum of one million Canadian children have witnessed violence against their mothers by their fathers or father figures. Education programs can help break the chain of violence through the generations.

Teachers in B.C. have reported less aggressive behaviour after implementing the Roots of Empathy program, which teaches social and emotional skills to elementary school students. Would the minister consider implementing such a program here?

Hon. Mr. Kent: Mr. Speaker, I will commit to having department officials look at that program and what it offers. I think it would be irresponsible of me to make a commitment on the floor of the House to a program with which I am not personally familiar.

A number of things came out of the health behaviour study that we are able to celebrate, but there were also causes for concern that were identified, such as bullying, cannabis use, grades 9 and 10 rural girls' mental health, grades 9 and 10 rural boys' school experiences and eating patterns. Those are some of the concerns that were identified through the health behaviour study that was done in partnership with the Department of Health and Social Services. This will help us guide health promotion programming, curriculum development and selection and, of course, school policy.

Mr. Silver: I thank the minister for his answer. The Four Rs is another school program that aims to prevent relationship violence later in life. It also focuses on dating violence and other risky, unhealthy behaviours in high school students. Studies in Ontario found that two and a half years after the program, participants experienced and perpetuated significantly less dating violence than students in schools that didn't have this program.

Alaska rates of sexual assault are among the highest in the United States and the rate of domestic violence is in the top five. Educators there recently adapted the Four Rs program in response. Alaska tailored the Four Rs program to its rural and aboriginal communities, where such violence is most common.

Will the minister direct his department to investigate doing the same or similar in the Yukon?

Hon. Mr. Kent: With respect to the health behaviour study — and that's how I would like to answer this question — again, it was a study done in partnership with the Department of Health and Social Services. The data collection started for that study in rural Yukon communities in 2009. It finished later on that year. Thirteen schools in rural Yukon and 15 schools in Whitehorse were visited. The interviewers conducted a total of 80 classroom sessions and a total of 1,439 questionnaires were completed and mailed to Queen's University, which is another partner in completing that study.

An awful lot of information was gathered, and it will help us to guide health promotion programming, curriculum development selection and school policy. Of course, investigating other programs that are offered in other jurisdictions will, I assume, be part of following up on that study.

Question re: Peel watershed land use plan

Ms. Moorcroft: The Minister of Energy, Mines and Resources appears to be a bit confused with regard to the Peel planning process. This side of the House continues to ask him what this government will take out to the public for consultation. The approval of land use plans, as set out in chapter 11.6 of the First Nation final agreements is a clear process — 11.6.3.2 makes it clear that government acceptance, modification, amendment or rejection of the final recommended plan occurs after public consultation, not before.

Mr. Speaker, will the minister follow the required process and consult the public on the final recommended *Peel Watershed Regional Land Use Plan* as written?

Hon. Mr. Cathers: In answer to the Member for Copperbelt South, I would point out that if anyone is confused, it is the NDP that is confused. I would encourage them to review the Blues and review previous copies of *Hansard*. I have answered this question a number of times. The members either do not like or do not understand the answer.

I would again point out to the member that we do have the obligation to have the discussion with the senior liaison committee about timelines for consultation and developing that consultation plan. That is why we cannot, at this point, precisely identify timelines, because we have to complete that step in the process before that. As I indicated, as recently as yesterday in the House, the government will continue to follow chapter 11 of the *Umbrella Final Agreement* and all our obligations

under the final agreements, including not making final decisions until the process is concluded.

Ms. Moorcroft: We on this side of the House understand that the Yukon Party government wants to modify the plan. No one is disputing that the process allows for that. My comments on December 5, 2011, which the member opposite insists on misquoting, support that contention, and I quote: "Yes, the Yukon government is one of the parties and it has an obligation. It is up to them to consult with Yukon communities and to either approve the plan, modify the plan or reject the plan."

The point is not whether the Yukon Party government can attempt to amend the plan, but rather that it must consult on the final recommended plan, whether they wish to amend it or not. Will the minister stop avoiding the question and just tell this House that his government will consult on the final recommended *Peel Watershed Regional Land Use Plan*?

Hon. Mr. Cathers: I have answered this question a number of times, so I am not sure what it is about the answer the members opposite do not understand or do not want to acknowledge that they understand.

The Yukon government, again — we have suggested modifying the proposed plan. One of the suggestions that we have made is that we think that perhaps it should be made more like Yukon's only existing regional land use plan, the *North Yukon Regional Land Use Plan*. That plan protects the environment by managing the environmental footprint from all users in a fair, equitable and evidence-based manner and by managing intensity of use throughout any regions that are not protected from all types of development. Again, that *North Yukon Regional Land Use Plan* was jointly approved by the Vuntut Gwitchin First Nation and the Yukon government in 2009.

So, in the final stages of the filing process and during consultation, we will continue to follow our election commitment to seek a final plan for the Peel that protects the environment and respects all sectors of the economy, and we will continue to follow the process outlined in the First Nation final agreements and continue to meet all of our obligations under those final agreements.

Ms. Moorcroft: I must admit that I am perplexed by the confusion on the government side of the House, and I am disturbed by his refusal to answer the question. The process is simple: Once the final recommended Peel plan has been presented to the parties, as it has, then government is to consult on that plan — 11.6.3.2 of the First Nation final agreements is very clear on this.

No one is saying that the government cannot offer up suggestions during the process, but what is clear in 11.6.3.2 is that the final consultation is to be on the final recommended Peel watershed plan, as submitted by the planning commission. Again, when will the Yukon Party government honour the First Nation final agreements, respect the law and bring the final recommended *Peel Watershed Regional Land Use Plan*, as written, to public consultation?

Hon. Mr. Cathers: It's very interesting here that no matter how many times I answer the question, the members don't seem to understand the answer. The Yukon government

has followed and will continue to follow the process outlined under chapter 11 of the *Umbrella Final Agreement* and continue to meet all of our obligations under the UFA and First Nation final agreements. That is what we have done. That is what we will continue to do during the remaining stage of the process. However, as I have said before a number of times in this House, we believe that if the government is proposing and suggesting possible modifications to the plan, it is appropriate to give an indication of that prior to the final round of public consultation. That is exactly what we have done.

There will be further information about potential options for possible modifications of the commission's proposed plan. During the public consultation period, we will continue to seek feedback through that process. Again, one of the suggestions we've made is that perhaps the proposed plan should be made more like the Yukon's only existing regional land use plan, the *North Yukon Regional Land Use Plan*, because that plan manages the environmental footprint from all users in a fair, equitable and evidence-based manner. That plan, of course, was jointly approved by the Vuntut Gwitchin First Nation and the Yukon government in 2009. Again, we have followed and we will continue to follow all of our obligations under the UFA and First Nation final agreements.

Question re: Energy efficient construction

Mr. Barr: The goal of energy efficiency is obvious. It fits with our energy strategy, our climate change action plan, and it fits for people's wallets. Energy efficiency is the way of the future — not just in the Yukon, but for the whole planet. Finding ways to save and conserve energy is called demand-side management. The forecast is for rising demands from residential electricity consumption in Yukon. Yukoners are worried about energy costs for their homes. The federal government cut its home energy retrofit program. They dropped the ball, so the burden falls on the territory to step up. But when it comes to encouraging innovation in how we heat our homes, this government is not stepping up. When will the government make energy retrofits for homeowners a priority and introduce programs that work?

Hon. Mr. Cathers: What I would point out in response to the member opposite is we have taken a number of steps. Some of the steps that we have taken include the work that is provided through the Yukon's good energy rebate program, which has resulted in a significant savings of energy consumption. That is a program that supports, through rebates on appliances, and other heating devices — I believe outboard motors have been covered, and a number of other types of appliances and mechanical devices have been covered under this program. Through that, that has significantly reduced Yukon's energy consumption by over 400 kilowatt hours a year, if memory serves.

We have continued to take steps internally as well, including constructing new Yukon government buildings and housing to high standards, including the LEED standard for public buildings and the SuperGreen for dwelling units. There are a number of initiatives, not only through the Department of Energy, Mines and Resources, but through Yukon Housing Corporation, that encourage and support people moving toward a

more energy efficient construction and usage through things like the appliances that I mentioned.

Mr. Barr: Energy efficient appliances are great, but the most significant opportunity for electric savings is by taking action on space heating. The trends are clear. Right now, 50 percent of new residential construction will have electric heat. Efficient residential electric space heating depends on how the home is built. We are talking about standards. The SuperGreen standards the Yukon government uses lead to savings, not only in the cost of heating, but also over the entire lifecycle of the house. Right now, amidst all the construction in the territory, those SuperGreen standards apply only to government construction.

Will the government extend the SuperGreen standards to all new residential construction?

Hon. Mr. Kent: Mr. Speaker, through the Yukon Housing Corporation — again, I spoke earlier today about the loans programs that are offered to assist Yukoners in repairs and upgrades. Of course, the Housing Corporation provides a substantial amount of technical advice and expertise to Yukon homeowners on a number of issues, including energy efficiency.

One of the other things that I could highlight as something the Yukon government is doing through investment in research is the \$5 million over five years that the Minister of Economic Development and I announced prior to this sitting to support the Yukon Research Centre and the Yukon Cold Climate Innovation Centre.

We have seen some remarkable products come out of that research, including some very high R-value insulation that was about one-inch thick. So we're seeing a lot of innovation; we're seeing a lot of programs that we already offer to address energy efficiency for homeowners.

Mr. Barr: When it comes to climate change, the future is now. We know we need to adapt for the future and find ways to reduce both our energy use and our greenhouse gas emissions. The homes of the future don't look like the cabins from the days of Robert Service. While we may take a certain pride in our made-in-Yukon solutions, when it comes to insulating and heating our homes, let's not be too proud to improve on our existing housing stock. Let's look at the evidence and the best practices from across the north. This fall, the National Building Code of Canada will include new provisions dealing with energy efficiency for housing.

Will the government adopt the national codes and assist all Yukoners in meeting them?

Hon. Mr. Kent: One thing I should also mention is that municipalities, including the City of Whitehorse, are responsible for building codes.

My understanding from my colleague, former city councillor at the City of Whitehorse, is that the City of Whitehorse already exceeds those codes in a number of areas. So, again, what we will continue to do is conduct excellent research at the Yukon Cold Climate Innovation Centre and Yukon Research Centre, when it comes to looking for energy efficiency items that work here in the Yukon and can also be exported all over the world. The Yukon Housing Corporation will continue to

provide technical advice and expertise to home builders and continue to look for better ways to increase the energy efficiency of homes here in the Yukon.

Speaker: The time for Question Period has now elapsed.

Speaker's statement

Speaker: Order please. I would like your attention. Prior to proceeding to Orders of the Day, the Chair will make a statement on the points of order raised yesterday during debate on Motion No. 162.

These points of order raised by members of the Official Opposition questioned the relevance of statements made by members of the government caucus with regard to Motion No. 162. Standing Order 19(b)(i) says, "A member shall be called to order by the Speaker if that member speaks to matters other than the question under discussion". In other words, when members speak to a motion, their comments must be relevant to the motion before the House.

The procedural authorities recognize the importance of the rule of relevance. The second edition of *House of Commons Procedure and Practice*, at page 620 says, "The requirement that speeches remain relevant to the question before the House flows from the latter's right to reach decisions without undue obstruction and to exclude from debate any discussion not conducive to that end."

The authors go on to note that neglecting the rule of relevance would seriously impair the ability of the House to manage its time efficiently.

However, these authorities also recognize the difficulty of enforcing the rule. Because, to again quote *House of Commons Procedure and Practice*, "Such enforcement must respect the freedom of debate enjoyed by all members.... It is not always possible to judge the relevance...of a member's remarks until he or she has spoken at some length or even completed his or her remarks. In practice, the Speaker allows some latitude — if the rules are applied too rigidly, they have the potential for severely curtailing the debate; if they are neglected, the resultant loss of debating time may prevent other members from participating in debate."

Given the inherent limitations on the Chair in determining the relevance of members' remarks, it is clear that members themselves must have a measure of responsibility in ensuring that debate is relevant and orderly.

The Chair has noticed that members occasionally feel the need to comment on the manner in which other members contribute to debate. It is such remarks that led to the points of order raised yesterday.

It is difficult for the Chair to determine if commenting on the manner in which other members have contributed to a previous debate is relevant to the matter before the House. Nonetheless, members might wish to reflect on whether such comments contribute to, or detract from, the level of order and decorum that the members wish to see in this House.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 39: *Business Law Amendment Act* — Second Reading

Clerk: Second reading, Bill No. 39, standing in the name of the Hon. Ms. Taylor.

Hon. Ms. Taylor: I move that Bill No. 39, entitled *Business Law Amendment Act*, be now read a second time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 39, entitled *Business Law Amendment Act*, be now read a second time.

Hon. Ms. Taylor: I am very pleased to introduce Bill No. 39, the *Business Law Amendment Act*. Before highlighting the features of this bill, I would like to take just a few moments to point out that it is part of a much larger initiative by this government. This initiative called the "business legislation reform project" began over four years ago when we introduced Yukon's new *Securities Act*. At that time, we recognize that our business legislation was outdated and that we needed to make changes to ensure that we had not fallen behind the rest of the country. The goals of the business legislation reform project are to modernize Yukon's business-related legislation, recognize modern business practices and simplify procedures to reduce the administrative burden for existing and new corporations.

While maintaining protection for shareholders and consumers, the business legislation reform project has sought ways to help create a more inviting economic climate for new business registrations in the territory. In particular, the initiatives contained in the business legislation reform project not only put Yukon on a level playing field with the rest of the country, but it also put us in a leading position when it comes to attracting new businesses to register and operate in the territory.

Since the spring of 2008, a working group of representatives from Community Services and Justice has been working collaboratively on this project. This work included full public consultations as well as close collaboration with the local Business Law Subsection of the Canadian Bar Association.

In the fall of 2010 it was our pleasure to introduce the following major statutory changes that are the foundation of the business legislation reform act. The first was the *Act to Amend the Business Corporations Act*, which is the flagship of the business legislation reform project. Its changes prompt complementary and consequential amendments to three other Yukon acts and the creation of new legislation.

In addition to the *Act to Amend the Business Corporations Act*, the fall 2010 package included four other statutes. One was the new *Securities Transfer Act*, which is part of the securities harmonization initiative discussed in this Legislature during debate of the Yukon *Securities Act* back in 2007.

The effect of the *Securities Transfer Act* is that it replaced and updated much of part 6 of the *Business Corporations Act* addressing rules around ownership and transfer of shares.

The other pieces of legislation introduced were these: the *Act to Amend the Partnership and Business Names Act* which contains rules for partnership registration and renewal, as well

as for legally naming partnerships and sole proprietorships; the *Act to Amend the Societies Act* which contains the rules for registration in operation of charitable and non-profit entities; and *Act to Amend the Cooperative Associations Act* which covers registration and operation of cooperatives.

As I stated earlier, our commitment to business legislative reform comes from our awareness that Yukon's business legislation was out of date and out of step with the rest of Canada. Prior to the passage of these bills, Yukon had been at a competitive disadvantage and was no longer viewed as an attractive place to register and operate businesses, as well as non-profit entities. This is because other Canadian jurisdictions had updated their business-related legislation, whereas ours remained relatively unchanged for the past 20 years. These legislative reforms were necessary for Yukon, so that we could maintain a positive business climate in today's global economy.

Updates to these business-related acts provided the legal infrastructure necessary to facilitate current business and encourage new economic development. For example, as the number of corporations registered here increases, there are increased tax revenues to support Yukon government programs, direct job creation in law firms and new businesses, and indirect job creation due to increased business interest, more business meetings and business-related tourism.

Turning back to how we develop the components of the business legislation reform project, we wish to again acknowledge the work that the Yukon business law section of the Canadian Bar Association conducted. They recognize that Yukon business statutes are important tools that can be used to help ensure a sound marketplace and contribute to job creation and economic growth. These corporate lawyers have provided valuable advice at all stages of the project, so I do thank this group for their contributions to the project and I know they will continue to do so as we develop the regulations for each of these bills.

Standing still with outdated legislation was not an option. In all five acts introduced in the fall of 2010, we updated terminology so that it was used consistently in all five acts, reduced barriers to enable effective management of corporations, fully enabled the use of technology and accommodated modern business practices.

I will now speak more specifically about the legislation before us today, which is Bill No. 39, *Business Law Amendment Act*. Bill No. 39 has two main components: first, it ensures that existing security documentation between lenders and borrowers will be appropriately grandfathered when all of the bills comprising the legislation reform project are, in fact, proclaimed; second, Bill No. 39 fixes various minor legislative drafting inconsistencies in the 2010 bills, such as correction of cross-references to statutes, section numbers, French translation and so forth.

We are very pleased that with the passing of this bill, the only remaining step in the business legislation reform project is the actual development of the regulations. Community Services is currently working with officials in the Department of Justice to draft regulations for all the business law reform project bills.

We expect to be able to be ready to consult on the draft regulations this summer.

Once the regulations are complete, all of these bills will be ready to be proclaimed and Yukon will have modern business statutes that encourage businesses to register and operate here as a first-choice jurisdiction and maintain appropriate protection for all stakeholders. I am pleased to be able to present this final statutory component of the business legislation reform project. Along with the fall 2010 bills, it supports the overall project goal of striking an appropriate balance between making Yukon a more attractive jurisdiction in which to register and operate business entities, the interests of the corporate law community and the very important consideration of protecting shareholder and consumer rights. Thank you.

Mr. Barr: I rise on behalf of the Official Opposition to speak to Bill No. 39, *Business Law Amendment Act*. Our plan is that I will be the only speaker on this bill, while my colleagues may jump up with questions in Committee of the Whole.

If my understanding is correct, I believe the bill does two things: It corrects some typos and translation errors and makes minor changes to the *Securities Transfer Act*, *Personal Property Security Act* and the *Business Corporations Act*. I appreciate the minister's explanation and her second reading speech.

There are two issues I want to flag, and I hope to hear some answers from the minister in her response or in Committee of the Whole.

I am curious about the consultation process behind these amendments. Did businesses and lawyers practising business law or investment firms and the general public have an opportunity to provide feedback on these changes and suggest where the territory should be going in terms of business law?

The goal of making business law should be to make fair rules and efficient processes. The goal should be to create a level playing field and have strong measures to ensure compliance. Business law, of course, needs to protect other stakeholders like consumers and workers.

There are many Yukoners who have small holdings in corporations through holding stocks, bonds, mutual funds and other certificates. The world is still seeing the fallout of the global economic downturn. There have been many cases of fraud and misconduct on Wall Street and Bay Street. A few high-profile con artists got caught. I think about Bernie Madoff and Conrad Black. But the real victim of financial irregularities was the average person who lost their retirement savings or home.

The Yukon government was not immune. We are still holding the asset-backed commercial papers. Regulation by government is necessary to avoid a repeat, but the action to make the financial services industry more accountable has been weak and, in many ways, the fox is back in charge of the henhouse.

There was an interview on *As It Happens* the other night about how Canada is one of the few countries and the only G8 country that doesn't have a national securities regulator. Under our Constitution, each province or territory is responsible for

regulating securities transactions. The man interviewed said that Canada was viewed by U.S. securities regulators as Mickey Mouse when it came to regulating securities exchanges. He was really referring to the lack of action in Canada against Conrad Black. So I wonder what the minister thinks about this debate. Obviously, there is a constitutional nature to this issue, and that makes it complicated. I wonder what the Yukon's position is, in terms of strengthening our securities regime and the discussion about creating a strong national regulator — just a few thoughts.

Again, I look forward to hearing plain-language explanations from the minister on these changes, what problems the changes are meant to correct, and what they are likely to achieve. I look forward to hearing from the minister as to what is on her radar for the future, in terms of strengthening our laws to ensure fairness and efficiency and protect consumers.

Mr. Silver: I rise to speak to Bill No. 39, *Business Law Amendment Act*, on behalf of the Liberal caucus. I will keep my comments today very brief. We will be considering other items of business this afternoon, in addition to this bill, and we are eager to return to departmental debate after that.

It is very timely that the Yukon Party members are putting forward this amendment this week in the Legislative Assembly, as our caucus, as well as the NDP and the Yukon Party and other levels of government officials have met this week with the Canadian Federation of Independent Business representatives. Among other issues, the CFIB identified that governmental red tape is a major concern for new and small businesses in the Yukon. We appreciate the intent of this amendment; however, we do hope that this is just the beginning of this government's attempt to address major archaic components of legislation that affect Yukon businesses.

This particular amendment act corrects a number of topographical and translation errors in the *Securities Transfer Act* and the *Act to Amend the Business Corporations Act*.

The government has updated a range of legislation governing business activities in the last few years, and this act continues that work. In addition, this act maintains and extends existing securities provisions through new legislation. This seems like a fairly administrative undertaking to ensure continuity between acts and within the regulatory environment. As such, the act has our support.

Thank you, and we're looking forward to the rest of this afternoon's business.

Speaker: If the member now speaks, she will close debate. Does any other member wish to be heard?

Hon. Ms. Taylor: I thank you, Mr. Speaker. I would like to thank the Liberal caucus for their support on this bill, and I certainly look forward to answering in greater detail some of the questions posed by the members of the Official Opposition. I guess what I can say on this front is this has been an initiative four years in the making. It is part of a detailed package that has received considerable discussion and consultation with not only, as I mentioned, the business law section of the

Yukon branch of the Canadian Bar Association. It has also received great invaluable input by working alongside our project team, of course. There has also been a great response sought from the business community at large and so forth. Again, in the process used during the legislation and forming the legislation, which is receiving the great support of this community, there will be greater debate when the regulatory package goes out for discussion and consultation with the community later on this summer, as I prefaced in my earlier comments.

I won't go into too much greater detail. Of course, the changes that were made as part of the overall reform project that we debated at great length back in 2010 certainly helps to protect the interest of shareholders. I think that's what the member opposite was getting at in the discussions. I will certainly refer to that at greater length during my comments during Committee of the Whole.

With respect to the discussion about asset-backed commercial papers, that's an interesting discussion because I have debated that piece ad nauseam actually on the floor of the Legislature. All I can say is that this government again continues to earn interest on those very investments and, in fact, this government continues to reap great benefits from the interest accrued on those investments plus many other investments made by the Department of Finance officials over the years.

We thank the Department of Finance for their good work in leading the territory in that front. Of course, that leads me to the next point, which is talking about the healthy business climate for investment. These changes will not only add to that healthy business climate, but certainly so do the investments included in our budget too. That's the largest budget ever and I appreciate the Member for Klondike's comments when he speaks to the need to debate well over \$1-billion worth of expenditures — I am not even sure if we have hit the \$100 million mark in terms of debate received thus far.

There are lots of great initiatives in support of infrastructure investment, in support of business development, private sector development. There are tremendous investments, which we are currently debating through Department of Education when it comes to training and education-related initiatives in support of labour market-related initiatives that the business community has made a very great priority.

Again, I am sure that we will hear in greater length about all of our respective departments when it comes to investments made by the Government of Yukon, the Yukon Party government, over the past nine years. This will certainly continue to be that case in support of our private sector.

I would like to thank all members for their comments and I certainly look forward to getting into the debate in greater detail in Committee of the Whole.

Motion for second reading of Bill No. 39 agreed to

Bill No. 38: Act to Amend the Child Care Act — Second Reading

Clerk: Second reading, Bill No. 38, standing in the name of the Hon. Mr. Graham.

Hon. Mr. Graham: Thank you. I move that Bill No. 38, entitled *Act to Amend the Child Care Act*, be now read a second time.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 38, entitled an *Act to Amend the Child Care Act*, be now read a second time.

Hon. Mr. Graham: I will start out by saying that there apparently was an oversight when the act was drafted and this amendment will help to correct that drafting error.

In the current law, the purpose of the *Child Care Act* is quite clear: it's to foster the development of quality childcare with parental and community involvement; it's to support a range of childcare programming in Yukon communities; and it's to recognize and support the aspirations of Yukon First Nations to provide culturally appropriate childcare services. The act goes on to define childcare as "...a program for the care and supervision of a child for under 24 consecutive hours for which compensation is payable to, or is sought or received by, the person providing the care and supervision of the child."

In other words, the *Child Care Act* is about programs for the care and supervision of children, specifically childcare, childcare programming, and childcare services. The act does not address programs for other purposes; programs which may incidentally provide childcare in the course of delivering their program, but is not the primary reason for the program.

The regulations under the act establish licensing standards for family day homes, childcare centres and school-aged programs, including space requirements, nutritional standards, behavioural management and record-keeping — all programs directly focused on childcare. The act also establishes the Yukon Child Care Board and the process for appeal of decisions from the director in regard to licensing and enforcement.

Under the authority of the *Child Care Act*, the department operates four funding programs that support children, families and licensed daycare operations, the first of which is the fee subsidy program which provides funding to assist families with the cost of childcare. The supported childcare program provides funding to daycares and family day homes to allow children with special needs to participate in childcare programs. The direct operating grant program provides funding to daycare and family day homes with the goal of reducing the fees charged for childcare services and, finally, the capital development grant program assists daycares and family day homes with costs related to start-up, health and safety and licensing.

The issue apparently arose when the Yukon Child Care Association brought forward to the department's attention the fact that the legal interpretation of the current wording on the act requires licensing for children's day camps and similar programs.

Our government understands that this licensing requirement was not intended when the act was drafted some years ago. Further, to require licensing for these programs would be inconsistent with what has been in practice in the Yukon since 1990.

Mr. Speaker, we recognize that all Yukoners want our children to be safe and free from harm. We also recognize that it is neither possible nor desirable, from this side's point of view, to rely on government to protect our children every moment of their lives in every possible situation. Parents make

dozens of choices every day about the well-being of their children. It is the parents' right, and, we believe, also their responsibility to make those decisions.

The *Child Care Act* is directed toward programs that are fundamentally about providing childcare. For the programs set out in the act, the government is clearly responsible for licensing and enforcement of childcare. On the other hand, day camps typically differ in their focus on programming rather than childcare and by the seasonal nature of many of the operations. In the Yukon, it has always been a family's responsibility to assess the value and the safety of such programs. What we are doing is maintaining a balance of responsibilities that has really been in place since 1990, Mr. Speaker. This bill will align the law with Yukon's practice of exempting day camps from the licensing requirements under the *Child Care Act*, confirming a practice that has been in place in Yukon since the act was originally proclaimed. This is exactly where the balance is struck in almost every other Canadian jurisdiction.

In addition to parental supervision, other policies are in place to support our children in these day camps. For example, when Yukon sport governing bodies apply to Sport and Recreation branch of Community Services, for example, for funding, their application must include their policies, including policies on harassment, abuse, discipline and volunteer screening. As well, Yukon government-sponsored summer programs, such as the Conservation Action Team and the Yukon Youth Conservation Corps, have strict safety requirements.

Of course, Mr. Speaker, as we're all aware, the City of Whitehorse is probably the largest provider of programs that will continue to be unlicensed. The department is aware of the standards of the recreation programs offered by the city and the steps these types of programs take to ensure the safety of all participants, and believes that licensing and inspections for City of Whitehorse programs are not warranted at this time. In addition, the department is working on education and awareness materials to support parents and organizations in delivering these programs and assessing child safety. The government is moving forward to ensure the law is clear and that children's day camps and similar programs are excluded from licensing. The amendment will authorize a regulation that clearly excludes day camps and similar programs and programs that operate on a seasonal basis from licensing under the act. Not moving forward would require each of these programs to annually obtain a licence under the *Child Care Act*, which may be a significant administrative burden to some. Licensing would also be inconsistent with the practice of other jurisdictions. We are bringing forward this amendment now so that regulations can be drafted to provide legal clarity prior to the summer season of day camps. Thank you.

Ms. Stick: I rise on behalf of the NDP to speak to the amendments to Bill No. 38, *Act to Amend the Child Care Act*. We in the NDP recognize that comprehensive childcare services are essential in the support of healthy families and healthy communities. It's important that we ensure there is quality childcare and a range of childcare throughout the Yukon.

The NDP is proud to have brought forward the original *Child Care Act* in 1990. We in the NDP support the delivery of quality childcare services for Yukon families through both not-for-profit and small, private operators, with a range of programs to meet a range of needs.

It's important to ensure that programming meets all needs of Yukon parents in Whitehorse and in the communities. We need to ensure that childcare workers have access to flexible training options and provide incentives so workers can continue to upgrade their skills. They have one of the most important jobs in our society — caring for our young children — and we need to guarantee that they can earn more than just a living wage.

The NDP supports rigorous health, safety and program standards to ensure the safety and protection of our children and the staff caring for them.

Our communities throughout the Yukon need the support of this government to look at creative ways to fund and provide the best daycare possible. At any time a worker in a community must leave the community due to a lack of daycare, whether a community nurse or a teacher — it's one too many. They not only leave, but they take with them their families, their skills and their contributions to those communities.

These amendments to the act are understandable. They protect this government from being liable and responsible for external childcare programs outside of Health and Social Services, such as day camps in the summer.

The regulations, however, should be used with careful thought to those NGOs and other departments that may want the protections under the act. That being said, I would again mention that a briefing on these legislative amendments, as requested, would have been helpful to the Official Opposition. Briefings are conducive to appropriate and relevant debate and cut down on the time used in the House to clarify our understanding. It was difficult to look at these amendments and try to second-guess what the government was trying to achieve. Never would I have guessed that we would be talking about summer day camps.

These particular amendments fall under an act that could potentially affect hundreds of families and children throughout the Yukon. It also makes mention of the *Education Act* and the *Child and Family Services Act*. The NDP supports these amendments, but, again, the regulations referred to should be used with caution, since childcare and safety should be in the front of all our thoughts. Thank you.

Mr. Silver: I rise to offer our comments on Bill No. 38, *Act to Amend the Child Care Act*.

At first review, these amendments seem so vague that their purpose isn't clear. All these amendments state is that the *Child Care Act* does not apply to programs that the *Child Care Act* says are exempted and that no regulations can be made about these programs because they are exempted from the *Child Care Act*. The *Child Care Act* and its regulations lay out health, safety and quality requirements for caring for Yukon's children. The government sets standards for the safety of our children when they are outside of their parents' care, and parents

trust in the thoughtfulness and the enforcement of those standards. These amendments ask us to approve exempting some unspecified programs from these standards, but they don't tell us anything more useful than that.

As MLAs, we are entrusted by our constituents to make decisions in this House that are in their best interests. It is very difficult to do that without full information, especially when it comes to something as important as our children and their safety. I understand from conversations with colleagues that these amendments are meant to benefit summer camp programs and the like. Still, we would very much prefer to be briefed by the government about such changes beforehand, so that we can represent our constituents with the full understanding of the changes in law that we are being asked to approve, especially when it comes to something as important as child safety.

With that, upon examination, these particular amendments do not cause us undue concern and we will be voting in favour of Bill No. 38 today. Thank you.

Speaker: If the member now speaks, he will close debate. Does any other member wish to be heard?

Hon. Mr. Graham: Perhaps I owe some members here a bit of an apology. I was unavoidably away for the first three days of this week, and hadn't been asked to provide a briefing, and I surely would have.

Some Hon. Member: (Inaudible)

Speaker: Order please. Address your comments to me.

Hon. Mr. Graham: I unfortunately didn't provide one and would have been only too happy to because I think these changes are very good changes and will actually enable the practice that has been going on for some years, since 1990. Day camps and day programs in the Yukon are offered by a wide variety of organizations — everything from church groups to First Nations, sports organizations, Government of Yukon and, of course, as I said before, the largest is probably the City of Whitehorse. They do differ from daycare programs, in that they are usually short, sometimes only half-day, but in other times as long as full day.

Some of them are also offered for older children, and this is where we really saw difficulties. In some of these programs, the parents of the children felt that their children were not, or should not, be in a childcare setting, and they felt that they were too old for daycare. These programs were not only good programs from a training point of view, or an educational point of view, but the children were not really appropriate for daycare.

As I said before, we understand that there is still some consternation out there between parents and NGOs about the safety of their children while they are attending these day programs. Even though we considered the parents' right and also their responsibility to make choices about their child's well-being, what we have begun work on, as I said before, are education and awareness pieces that give parents some ideas about what kinds of questions they should be asking these organizations and what they should be checking out before they allow their child to attend some of these day programs.

We have even considered approaching the City of Whitehorse and other groups with some kind of voluntary compliance scheme that would then be available, somewhat like the Yukon sport governing bodies do, where the policies and requirements of instructors or coaches are clearly outlined in the request for grant funding through the sport development program.

So those things are all possible, and we'll be investigating those further. But as I was listening to the Member for Riverdale South talk about daycares and livable wages, I think it's very important that I point out to her that in 2008, there was a 70-percent increase in the wage component of the direct operating grant to daycares around the territory. The per-hour enhancements were quite substantial. They ranged from \$1.85 for level 1 up to \$9 an hour for level 3 daycare employees.

For the 2010-11 fiscal year, the average wages for daycare workers ranged from \$17-plus an hour for a level 1 daycare employee to almost \$21 for the higher levels. So they're at least approaching a livable wage in the territory, and we would like to see that continue.

As I said, we have a number of programs that help to fund the daycares around the territory, and we look forward to continuing those.

Again, Mr. Speaker, I kind of apologize for not providing a briefing for this piece of legislation, because it is actually a good piece of legislation that I'm sure all members of the House will not have any problem supporting at all. I look forward to discussing it during Committee of the Whole. Thank you, Mr. Speaker.

Motion for second reading of Bill No. 38 agreed to

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.

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

Motion agreed to

COMMITTEE OF THE WHOLE

Chair (Ms. McLeod): Order. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 39, *Business Law Amendment Act*. Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 39: *Business Law Amendment Act*

Chair: The matter before the Committee is general debate on Bill No. 39, *Business Law Amendment Act*.

Hon. Ms. Taylor: I am very pleased to speak to this bill, which is part of the original business legislation reform

project. Bill No. 39, the *Business Law Amendment Act*, is supplementary legislation to the five business bills that were passed in the Legislature in the fall of 2010.

As I mentioned at the outset, there are two components in Bill No. 39 before us today: an amendment to ensure that certain security documentation between lenders and borrowers, pursuant to the *Personal Property Security Act*, is appropriately grandfathered under the new legislation; and various house-keeping, translation and technical drafting corrections arising from the business law bills passed in the fall 2010 Legislature.

The overall business legislation reform project ensures that Yukon's business legislation is up to date and that Yukon continues to be an attractive jurisdiction in which to do business. With passage of Bill No. 39, this government will have completed the statutory component of the business law reform project, and all that will remain is the development of the regulatory package.

The final step is also a very large task and includes drafting of new and amended regulations to these business statutes. I am pleased to say that, as I mentioned at the outset, the drafting has begun, and we are working toward having the regulations ready for consultation later this year.

Once regulations are finalized, all of the statutes the business legislation reform project is comprised of will be ready to proclaim, and this very large and important project will be complete. I certainly look forward to collaborating with the members opposite and answering any questions that they may have in regard to this bill. Thank you.

Ms. Hanson: I thank the member opposite. In speaking to second reading, my colleague raised a couple of questions and I just want to comment with respect to the response.

The members of the Official Opposition only raised the questions that we did raise with respect to this because we had been denied a briefing on this legislation, repeatedly, through the House Leaders' meetings. I think what it does speak to and what we have said is that, for the most part, we recognize once they are explained to us — and it is unfortunate that we have to come to the Legislative Assembly to get an explanation of really minor changes to legislation. When we ask the questions about consultations, it is not because we question whether or not the government would have done consultations, but if we are not privy to it — and it is one thing to say, you know, on one day we are told, well, we are not responsible for the government's actions of years prior, and then we are told today that, in fact, it has been doing consultation on this legislation that came into effect in 2010. A simple discussion, a simple briefing would provide that kind of background so it would not be part of the conversation in this room.

With that being said, I just had one question. There was a comment made by the minister when we were — and it is just more of a point of clarification, if I may — is that when I looked at this, because, again, sans briefing, I was looking at trying to decipher really why these changes with respect to — you know I recognize the grammatical differences and some of the grammatical differences actually could be quite different in intent.

When the minister talked about the French translation, my question is that it was my understanding that legislation is drafted in both French and English and they are equally authoritative. It is my understanding that it's not translated, but they are actually drafted in their whole and entirety as in English and in French. If the minister could just clarify for me and for this Legislature that we are not really talking about translation of legislation, but ensuring that when it is drafted in English it is read equally authoritatively — if she could confirm this for me — in French. We are not talking about translating legislation; we are talking about crafting equal legislation in both official languages.

Hon. Ms. Taylor: Madam Chair, I was remiss to not welcome our respective officials to the Legislature here this afternoon and thank them for being here and for all of the work of these two individuals and many other officials in the Department of Community Services, which is a very busy shop as I have grown to very much appreciate over the last few months.

With respect to the request for the briefing, what I can say is that we're here in Committee of the Whole, and certainly one of the reasons why we are here is to take questions and appreciate the input received from members of the Official Opposition and the Third Party. But of course, some of these questions will, in fact, be addressed here in Committee of the Whole and that's why we do conduct the business that we do in this particular venue.

As I alluded to earlier, when it comes to consultations, I think I tried to outline that for the member opposite at greater length in my introductory remarks, but there has been a great deal of ongoing consultation that has been undertaken on the original number of five bills included in this business legislation reform project. As you can appreciate, these are very complex, technical issues that certainly require the expertise and the professionalism of many different partners in the corporate community. For that, we very much appreciate the input and the dialogue that has taken place over the years on this initiative.

It has been about four years in the making, as I said. It is legislation that is some 20-plus years old and has certainly placed Yukon, competitively, at a great disadvantage compared to the rest of the country. So, with these changes, it does very much modernize what we have to offer here in the Yukon. There is more work to be done, and we certainly continue that work by way of conducting or preparing the draft set of regulations to be put forward. As I mentioned also, those two will be put forward this summer for discussion with the public. I can certainly outline the degree of consultation that was undertaken by the respective stakeholders, but we have consulted with the corporate community, the business law community, the chambers of commerce, posted information on the government website, we have issued news releases and obtained input. As I mentioned, it's ongoing consultations with all of our stakeholders.

With respect to the member opposite's question about French translation — yes, both versions are equally authoritative and, as I mentioned at the onset, as well, the amendments

in this bill are correcting the French-language version so it is consistent with the English version.

I was looking at some of the debate that took place on the floor of the Legislature back in 2010 and in fact I was just reminded of the one particular bill — I think it was the *Business Corporations Act*, if I am not mistaken. At that time, the existing corporations act, prior to the bill coming forward as amended, had about 208 sections. Certainly, as I mentioned, it was by far the largest and most comprehensive and complex of all the various acts that were presented. The amendments themselves that were brought forward were very technical and comprised — actually it was over 100 pages of changes to the act. So, as one can appreciate, there are some deficiencies that have resulted since those bills were tabled and, again, this is really more of a housekeeping-type legislation that has been brought forward to correct some of those deficiencies.

Ms. Hanson: I just have three comments to make.

One — in reiterating this is a technical and complex piece of legislation, the minister only goes to confirm why the opposition and the members of the Third Party would benefit from a synopsis briefing of the history, recognizing that the member opposite was in this Legislative Assembly for the last 10 years. I would say that most of the other members in this House were not. So, simply to put a context when we're asked to have an informed appreciation of the legislation being put forward, it would have been quite useful to say, "15 minutes of your time; here you are; this is what it is," and making the officials available to do that. We really appreciate when we get that kind of briefing with respect to our preparatory work for a budget briefing. Unfortunately, what we're seeing with respect to this suite of amendments to six pieces of legislation is an unwillingness to offer that to the opposition.

The second part is that the minister again used the word "translation" and I was looking for her to simply confirm, in one or two words, that the legislation is equally drafted separately, in English and in French — we're not talking translation.

Third, that being said, and assuming there are no other extraneous issues that will be raised, the Official Opposition will, of course, be supporting this and we would move to have that happen as quickly as possible.

Hon. Ms. Taylor: You know, Madam Chair, prior to me getting involved as an elected official, I was actually able to provide a great deal of research to the respective caucuses that I've worked for over the years. The first point of context of research was really going back in *Hansard*. As I just mentioned, there is a great deal of debate that took place in 2010 on the floor of the Legislature — in October, to be exact — which speaks at greater length about each of the five original bills. So, I would just encourage, perhaps for the future, that members opposite may want to reflect on the debate that has taken place in the Legislature. I certainly did that, as well, as part of reviewing the bill going forward and, just for my own recollection, some of the questions that were raised at that time. It's great context. It provides familiarity with the issues and certainly for those who are not familiar with the bills. I can appreciate the complexities and technical-related matters associated

with the bill, but it certainly does provide much context. I was just reminded that, I believe, the Member for Whitehorse Centre actually sat in the gallery during much of the debate then.

I am sure it is not new for the member opposite. So, again, when we speak to the actual bill in French and English — I thought I had referred to the word “version” versus “translation”.

Mr. Barr: I don’t have as many questions as I did, as the minister opposite has already answered a few. I would respond that I am glad that businesses were involved in the consultation and happy to hear that further consultation with the community at large will be forthcoming.

I guess, in the efforts of moving this along, I just have a couple of questions and that will be it. I am interested in protections for shareholders and consumers. I understand that the superintendent of securities has a responsibility to conduct investigations about violations of the *Securities Act*, which I know is not part of this bill, but it’s part of the business legislation reform package.

I understand that the maximum penalties for offences are \$5 million or five years less a day. I’m just going to ask one question and another one, and that will be it. Have there been any investigations conducted under this legislation? Also, in the past, there were businesses registered in the Yukon with not-so-stellar track records. I am talking about Livent — and the company’s name escapes me, but it was involved in Burma during the military dictatorship there. I would like to hear from the minister how the Yukon’s rules prepare it to prevent corporate bad actors from locating here.

Hon. Ms. Taylor: Madam Chair, I guess when we talk about the *Securities Act*; it did comprise one of the five original bills brought about in 2010 as part of that business legislation reform package. The changes that were made as part of that original package are very much going to help to protect the interest of the shareholders. So the package includes a number of different changes that benefit shareholders, such as providing clarification of options or remedies available to shareholders who may disagree with actions contemplated or taken by the corporation; it also provides greater flexibility to customize the structure and the management of corporations that do not issue shares or securities to the public.

When it comes to corporations in the territory, most corporations — Yukon corporations, that is — do not issue shares or other securities to the public and are usually owned by only a few shareholders who are often family or friends or business associates. In these types of corporations, shareholders are typically also the directors of the corporation. So, Yukon corporations that do issue shares or other securities to the public will continue to be required to comply with the Yukon *Securities Act* and securities laws of any other jurisdiction in which they issue securities to the public. So, again, the corporations that are listed on a stock exchange, for example, will still have to comply with the rules of that stock exchange.

Chair: We’re going to proceed now, seeing no further debate, with clause-by-clause review.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Title

Title agreed to

Hon. Ms. Taylor: I move that Bill No. 39, entitled *Business Law Amendment Act*, be reported without amendment.

Chair: It has been moved that Bill No. 39, entitled *Business Law Amendment Act*, be reported without amendment.

Motion agreed to

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

Recess

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

Bill No. 38: Act to Amend the Child Care Act

Hon. Mr. Graham: It’s my pleasure today to open debate on Bill No. 38. I’ll perhaps just run through a few things that my department will be doing as a result of this legislation.

We’ve looked at a number of ways of ensuring children’s safety, either voluntarily with the groups that work in these areas or by providing handbooks of desirable practices, as they have in B.C. or a standards manual like they have in Alberta. First of all, I guess I’ll explain. This amendment will authorize changes to the *Child Care Act* in line with the practice of exempting day camps from current licensing practices. That’s what the whole change is about. As I noted when the amendment was introduced, the *Child Care Act* is focused on programs for children, for care and supervision for childcare, childcare programming and services.

It’s our belief that, in 1990, this was a simple omission from the act and it was really never intended to address the programs that we’re addressing here today. There’s no doubt that we all want our children to be free from harm, so that was our primary concern even while we were developing this change in legislation and contemplating the regulations.

We tried to think of other things we could do. As I said earlier, on our side of the House, we believe it’s a parent’s right, and in fact, their responsibility, to be aware of the risks inherent in these kinds of programs and take the responsibility to do some work. But we don’t want to leave parents out there all on their own. That’s why we’ve also developed a little discussion paper here called “Options for Assessing Summer Camp and Children’s Day Program Safety.” We will be taking this discussion out to the various NGOs, childcare providers and other interested parties, as well as day programmers — people who are involved in the current day programming — in order to work out a set of standards that we believe should apply to anyone who offers a day program, be it in the summer months when typically most of them are offered. There are some programs that are offered during the year as well, such as at spring break and those kinds of things.

So I instructed the department to focus its activities on increasing the education and awareness of child safety issues

related to summer camps, children's day programs — not only for program operators, but parents as well.

We want to make sure that parents are aware of the inherent — I wouldn't say "dangers" — but the inherent risks of allowing your children to participate in these types of programs. We also want to make sure we work with stakeholders such as Parks and Recreation, Sport Yukon and the City of Whitehorse to develop the training manuals or guidelines. I think we are probably going to call them "best practices for running summer camps and day programs". That's kind of the idea we have come up with. We would set up a core of practice and procedures that would ensure children's safety, which are normally practised by summer day camps and day programs so that they would really meet all the requirements for safe operation.

The best practices would be collected into a document that provides a comprehensive list of recommended best practices that should be considered when running a program.

We would include best practices. I will read the list: "Communicating with parents; food safety; sanitation; first aid; CPR certification; water and water safety; documentation reporting incident procedures; staff qualifications; training orientation; RCMP criminal records checks; informed consent; personal health information; emergency procedures; policies on discipline and harassment; reporting of suspected abuse; confidentiality; privacy, et cetera; motorized vehicles licensing and operations; liabilities and other types of insurance; specialized training for high risk activities", and following relevant legislation and regulations such as environmental, health, motor vehicles and things like that. That is what we intend to do in the period immediately — in fact they are working on it now. But immediately following passage of this amendment, we will be meeting with the interest groups to go through this and develop best practices and guidelines for parents who hope to put children in day camps.

That is about all I had. I would be happy to answer any questions.

Ms. Hanson: I thank the minister opposite for that explanation. I simply say that it is very helpful to have that explanation.

I would reiterate, as I said earlier, that it would have been helpful to have had access to that information, and it would have been simple to have been acceded to in our repeated requests for briefings on this bill. I would point out that the explanatory note to this bill simply says this bill amends the *Child Care Act* to provide the Commissioner in Executive Council with the authority to exempt certain programs for children from the application of the act. Now, when we look at the *Child Care Act*, and as the minister referenced, it covers a broad range of things, we think, holy cow. What are we talking about here? If we had had the Government House Leader's agreement to a briefing, we would probably not have to have any conversation in this Legislative Assembly. What I've heard from the minister does give me great comfort that there is an intention to do something that does perhaps makes sense. I know that there are probably some comments from one or two of my colleagues — the Official Opposition does intend to

keep our comments very brief on this, because we do support, now that we've heard from the minister, the intention here.

We do have a couple of questions for clarification. It's sort of that "woulda, shoulda, coulda" thing — we would have made it a lot easier, we should have perhaps done it and we could have made it a lot easier if we had just actually done what we talk about in this Legislature, which is work together.

I do want to thank the minister's political staff. This morning, we were sort of going like, "What does this mean?" We've been trying — despite what the minister said prior to this on the other bill, Bill No. 39 — if researchers are not allowed to talk to people, they can't do their research. So, in fact, when we asked a question directly of political staff on this case — on this case only — we got an answer and it helped clarify the situation. So, I appreciate the minister being forthcoming on this and I'll leave it to my other colleagues if they have any other questions. Of course, the Official Opposition will be supporting this. We'd like to move expeditiously on it.

Ms. Stick: I also thank the minister for his comments. I just want to walk through one part of this amendment, because it refers to three acts: the *Child Care Act*, the *Education Act* and the *Child and Family Services Act*. It took me awhile to map this out, but in the part that says that "Section 3 is replaced" — okay, it is the *Child Care Act*, "Section 3 is replaced with the following", and it talks about the exception. "3 This act does not apply to (a) care and supervision of a child provided in any program under the *Education Act*;"

This is the part that concerned me: "(b) a residential facility or services for children established, operated or provided under Part 7 of the *Child and Family Services Act*; or..." and then it goes on to another part, but I just want to deal with (b) first. So if I look at Part 7 of the *Child and Family Services Act*, it includes the "Facilities and services for children," and under that, I think, it is talking about group homes and that type of thing. But also, under section 7 is "Designation of First Nations Service Authority; Responsibilities of First Nation service authority," and it is just not clear to me. It is just not clear. I am going to ask the minister to explain, because I have tried to figure it out. I looked at all of section 7, which is actually quite a large piece, and we would just like clarification on that, please.

Hon. Mr. Graham: The changes are made to ensure that licensing regulations under the *Child Care Act*, only apply to those children who are in actual, supervised childcare.

So it won't apply to children under the *Education Act* who go on a supervised, overnight trip with teachers. It won't apply to a residential or family service that is covered under the *Child and Family Services Act*. It's intended to exclude those because both of those acts have very specific regulations dealing with children in those circumstances. So we wanted to make sure that the new section (c) authorizes a regulation to exclude specific programs. It doesn't authorize any other changes. But we want to make sure that it's clearly understood that the licensing provisions of the *Child Care Act* do not apply to these other circumstances. It's just making it clearer because it has been like this since 1990, and no one has had difficulties with it. Now that it was pointed out that under the *Child Care Act*, the

interpretation was — yes, there was no length specified so that they could be taken in by the *Child Care Act* wording.

Ms. Stick: I think I just about got it. I'm wondering if the minister could also then just clarify the last piece for me — "(j.1) exempting a program for children, or a class of program ..."

I know this is about day camps, but has the minister thought of other programs that might be exempt?

Hon. Mr. Graham: So what we are talking about here are programs for children where a parent is present — so that's one classification. Programs for children — we want to exempt two specific groups. The second is programs for children where a parent is there. In other words, if a parent is present at the program — or nearby, if needed — be it a hockey school or children in a play camp, those camps or those programs will be exempted from licensing. And also programs for children that provide incidental childcare — the 12-week criteria limits the exemption of programs of the approximate length of the school holiday season. That's what it's intended for, and that's why (j) is there.

Ms. Stick: So, with these changes, I would wonder if the minister could tell us whether the regulations, then, will also be brought into line with these amendments to the *Child Care Act*?

Hon. Mr. Graham: Yes. That's exactly what will happen. As the member has already pointed out, there currently are no regulations under the *Child Care Act*. So this will be regulation number one. Currently, there are no regulations under the *Child Care Act*. That's why the *Child Care Act* is as long as it is.

This will be regulation (1) under the *Child Care Act* and it will be very short. It will exempt only those two programs from licensing under the act. That's all it would do.

Ms. Stick: I stand corrected on the regulations for the *Child Care Act* and would just ask the member at this same time whether there is a plan in place to actually bring in regulations that will cover the complete *Child Care Act* and make it clear for daycare providers and parents and families of their roles and responsibilities.

Hon. Mr. Graham: Madam Chair, we're straying a little bit from this one, but at this point, there are no proposed regulations that I will be bringing forward on this side of the House for passage. We're always open to suggestions and comments, though, so if the member opposite wishes to make some suggestions, we would happily consider them. But at this time, there are no regulations in the hopper, as it were.

Mr. Tredger: Just one quick comment. It sort of perked up my interest when the minister opposite talked about regulations and safety of the children. A number of years ago there was a horrific accident in the Rogers Pass. A group of students were out on a field trip and they were caught up in an avalanche; I believe 17 were killed. That resulted in departments of education across the land examining what standards of care, what obligations we had to children when they were in our care.

I was pleased to hear that the minister is thinking of looking at that. I think our NGOs and various summer camps could

benefit from the expertise of the Department of Education, perhaps support in some way — many of our camp counsellors, who are young students themselves who are just growing into a career. Two things on that: I would encourage the member to establish some framework of support for the various agencies that are taking children to summer camps; and I would encourage the member to work with the Minister of Education and the expertise that has gathered around that.

I know people went out for training camps. There was a lot of work done on risk assessment and how to work with parents. The duty or the obligation to have informed consent and what that means changed the way education deals with camps and experiential learning. That expertise may help and the lessons learned from that may help in terms of helping our NGOs deliver similar safe programming. Thank you.

Hon. Mr. Graham: I agree, and not only with the Department of Education — that's why I had the list, actually, of best practices — but my colleagues here in Community Services and the Sport and Recreation branch have a great deal of experience in this area as well. We'll be working with them as well as NGOs. The City of Whitehorse, of course, is a big player in this process as well. We will be working with them. I know there is some preliminary work already being done.

In many of the communities, as well, much of the programming such as what we're exempting here from licensing is being done either with the daycares or at least in cooperation with — or that kind of thing.

What the department is taking a look at — because there are daycares in virtually every community in the territory with the exception, I believe, of Beaver Creek and possibly one other — we will be looking at including them in this consultation as well. So we'll be not only bouncing ideas off the Yukon Childcare Association, but we'll actually be including some of their folks in it as well. I believe the Yukon Childcare Association has a conference on April 27 and 28, which is just coming up, so we'll be trying to do some work with them as well.

I do have to make one small change. There are currently some regulations under the *Child Care Act* dealing with licensing so, Madam Chair, the member opposite was right: there are a few regulations.

Chair: Is there any further debate on Bill No. 38? We can proceed to clause-by-clause debate.

Mr. Tredger: Please forgive my ignorance. Is there a way we can make it happen all at once?

Chair: I believe it will be quicker in this case to go through the process.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Title

Title agreed to

Hon. Mr. Graham: I move that Bill No. 38, entitled *Act to Amend the Child Care Act*, be reported without amendment.

Chair: It has been moved by Mr. Graham that Bill No. 38, entitled *Act to Amend the Child Care Act*, be reported without amendment.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. McLeod: Committee of the Whole has considered Bill No. 39, entitled *Business Law Amendment Act*, and directed me to report the bill without amendment.

Also, Committee of the Whole has considered Bill No. 38, *Act to Amend the Child Care Act*, and directed me to report the bill without amendment.

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

Some Hon. Members: Agreed.

Speaker: I declared the report carried.

Speaker: We will now proceed to government bills.

GOVERNMENT BILLS

Bill No. 5: *Third Appropriation Act, 2011-12* — Third Reading

Clerk: Third reading, Bill No. 5, standing in the name of the Hon. Mr. Pasloski.

Hon. Mr. Pasloski: I move that Bill No. 5, entitled *Third Appropriation Act, 2011-12*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Premier that Bill No. 5, entitled *Third Appropriation Act, 2011-12*, be now read a third time and do pass.

Hon. Mr. Pasloski: I rise to speak to Bill No. 5, the *Third Appropriation Act, 2011-12*, at third reading. This bill is the third appropriation act for the 2011-12 fiscal year. The total sums required in this appropriation are outlined in schedule A, which is attached to the act. The legislation also presents in Schedule B the amounts required to be approved by this Legislature for grants.

In my second reading speech and through our very short debate, ministers and I laid out for the members of this Legislature the content of the supplementary budget. I will not repeat this again at this time. I'd like to thank the Department of Fi-

nance for their exemplary work and due diligence and I move that Bill No. 5, *Third Appropriation Act, 2011-12*, be now read a third time.

Motion for third reading of Bill No. 5 agreed to

Speaker: I declare that Bill No. 5 has passed this House.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter before Committee is Bill No. 6: *First Appropriation Act, 2012-13*. We are going to commence debate on Vote 52, Department of Environment.

Would members like a recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 10 minutes.

Recess

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

Bill No. 6: *First Appropriation Act, 2012-13*

Chair: The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*. We are going to start general debate on Vote 52, Department of Environment.

Department of Environment

Hon. Mr. Dixon: I rise today to outline some of the Department of Environment's plans for the coming fiscal year, but before I do I wanted to welcome to the House my Deputy Minister of Environment, Mr. Kelvin Leary. I believe the resignation of the Deputy Minister of Executive Council Office this summer will leave Kelvin as the longest serving deputy minister in the Yukon. We appreciate very much his long tenure with us. Whether or not congratulations or condolences are in order, I will leave that to others to decide. I appreciate his support very much here today and indeed, as Minister of Environment. I would also like to thank the staff in the Department of Environment for their excellent work so far and, indeed, with this budget. I know the folks in the Finance branch in Department of Environment have put a lot of work into these documents and we appreciate it very much. Indeed, other branches of the Department of Environment put a lot of effort into developing this budget and developing our plans for this year.

The department seeks to be a recognized leader and a trusted partner in environmental stewardship whose actions support a healthy, sustainable and prosperous Yukon now and into the future. The employees strive to safeguard Yukon's ecosystems because they know that healthy communities thrive in a healthy environment. Their work supports informed, inclusive decision-making, generates shared knowledge and guides others to act responsibly and respectfully. Some of our new initiatives this year are in response to the current economic upswing and these initiatives will help us ensure the continued, wise management of the territory's natural and environmental resources.

We will be combining the resources of three branches to help us establish baseline inventories in the Rackla and White Gold regions so that we can better understand and manage the cumulative effects of quartz mining exploration on the territory's water resources, wildlife and fish and their habitat.

We will be completing the planning and design work for a new regional office in Watson Lake to house the operations of three Environment Yukon branches. We will conduct a preliminary assessment to determine the cleanup costs for the Yukon government's highway maintenance camp at Swift River. We will be adding to the services provided to the people of the Carmacks area through the new Conservation Officer Services branch office with planning and design for a new office addition slated for construction in 2013-14.

We are hosting an international youth eco-forum on climate change and creating balance, as I mentioned earlier today in the tribute to Earth Day. Forty youth delegates from across the circumpolar north and their chaperons will join Yukon youth and event coordinators for seven days of programming as they cultivate youth leadership, environmental awareness and circumpolar relationship building. This will be the first year of the new coordinated approach to establishing base inventories and assessing possible cumulative effects of the recent mineral exploration and development work on Yukon's freshwater fish, wildlife and habitats.

The assessment of cumulative affects is required under the *Yukon Environmental and Socio-economic Assessment Act*. The actions needed to obtain the cumulative assessments are strongly supported by affected First Nations as well as the agencies responsible for environmental assessment and land disposition requests. These agencies use the environmental assessment process on a project-by-project basis and we now require plans, data collection, programs and policies to understand the cumulative affects on regions undergoing increased industrial activity. This new coordinated initiative will utilize resources of the department's Fish and Wildlife, Water Resources and Environmental Programs branches. This will help us collect baseline data on existing industrial impacts on waterways so that we can anticipate the impact of new activity.

The Fish and Wildlife branch will carry out a moose survey through the western lower Stewart River and northeastern White River moose management units, and a second moose survey through the upper Stewart River watershed along the Beaver and Rackla rivers. These will help us get baseline information on moose densities, population composition and dis-

tribution so that we can determine changes to the moose population associated with future mining and access development in the White River area south of Dawson and the Rau Rackla area east of Mayo.

We will be sharing the results of these surveys with the Dawson, Mayo and Selkirk renewable resource councils. We will also undertake a ground survey of a small population of Dall sheep in the White River district. Little is known about these sheep and, in particular, how they move along the rivers. Given their small size and relative isolation, these groups may be at a greater risk of disturbance. Baseline information about the group size, group connectivity and movement routes is needed and can be used to mitigate potential impacts of development on these sheep.

In the southern Yukon we will be looking at sheep populations near the Ketzka River mine property. There was a relatively comprehensive sheep population and habitat study in the late 1980s. Results of an aerial study in 2007 suggested that the habitat selection by the sheep will help us determine what has to be done to avoid impacts by mining activity. The Ketzka River mining project is about to undergo an adequacy review with the stated intent of reopening the Ketzka mine. Current information is needed to inform this process. Two other survey projects not connected to our cumulative effects initiative, as these were identified earlier, are in anticipation of more traffic on the North Canol Road due to increased mineral exploration activities. The first is a moose survey in response to local concerns about increased hunting traffic in the area. The other is to determine the current population of the small resident goat population in the Itsi Range south of Ross River.

The goat survey will be available for industry and resource managers to evaluate the potential effects of development on goats in that area.

Our Conservation Officer Services branch is continuing with its efforts to protect the environment and serve Yukoners. Last year we staffed one new conservation officer position in Carmacks, as I mentioned earlier, last year, in response to requests from area residents. This year, we will be adding another half-time field position to the branch to increase our field presence and meet growing demands for services.

The department's largest capital budget item this year is the planning and design for a new Watson Lake regional office building to replace the 1960s structure that was built for the Conservation Officer Services branch. The new building, when completed in 2013-14, will house two conservation officers, offices for the Fish and Wildlife branch, regional biologists, as well as the seasonal Parks branch staff. I know that having a new building will make those folks very happy. That building that I mentioned is indeed in quite a sorry state currently and is in much need of replacement.

We are also implementing the succession planning initiative for our First Nations conservation liaison officer and we will be recruiting for a three-year term First Nations liaison training position in the branch for this year.

We will be looking at two new Internet-based services that are being developed by the Conservation Officer Services branch. The first is a pilot project to help Whitehorse residents

learn how to reduce their conflicts with bears in the summer by improving the public's access to information about bears in their neighbourhoods. The second proposal is to work on the logistics for an Internet-based hunter education and ethics development course to remove barriers to participation and enable hunters to take the HEED course on their own schedule from anywhere in the territory.

The popularity of Tombstone Territorial Park continues to draw interest from Yukon residents, as well as Canadian and international travellers, many of whom have stayed overnight in one of the three backcountry campgrounds. Last year, when many jurisdictions reported a decline in visitor travel, we saw a 25-percent increase in the number of visitors in Tombstone, where visitations went from 10,000 in 2010 to 12,500 in 2011. This increased demand means we have to come up with new and innovative ways of helping a wide range of people enjoy the Tombstone experience.

We are working on introducing, on a pilot basis, an on-line registration system for people who want to book their backcountry Tombstone Park camping spot in advance. If this project is successful, we will look at whether we can expand the service in the future.

We are considering, in 2012, also on a pilot basis, to offer two group camping sites at the Tombstone Mountain campground for commercial wilderness tourism operators to use exclusively in order to support their business. As it stands now, our existing park campgrounds are occupied 100 percent of the time from the beginning of July to the end of August. Meanwhile, we have watched our territory-wide campground usage steadily increase over the years, and we will be assessing the options that would allow us to offer more campground services to more people by expanding the number of camping spots in existing campgrounds.

We set a new record in 2011, with the highest number of Yukon resident annual permits issued in the past 21 years. In 1990, we issued 670 annual camping permits to residents. Last year, it was 1,901. We also sold the highest number of overnight camping permits since 1998. Almost 1,000 more campground permits were purchased last year compared with 2010. Our sales to non-residents went down from 20,531 in 2010 to 17,014 last year, which may have been a reflection of the European and American economies.

On the capital side we will be repairing and replacing the 30-year-old Five Finger Rapid viewing platform and stairway just north of Carmacks. The two-year project began in 2011-12 and will be completed early in the new year in time for the upcoming tourist season.

We also hope to commence a number of park management planning processes in 2012 that will see new wilderness parks created under land claims and regional land use planning. Water is a significant issue and a high priority within the Yukon government. The Water Resources branch is the lead agency for developing a Yukon water strategy across six government departments. Those include Community Services, Energy, Mines and Resources, Environment, of course, the Executive Council Office, Health and Social Services as well as Highways and Public Works.

The water strategy will help provide long-term direction for economically and environmentally responsible development, management and use of water in Yukon and establish principles to guide future decision-making. It is our intention to take the proposed water strategy to all Yukoners for their review and comment, because water is so important for everyone. I think that is reflected in the number of questions and the attention it has received in the House so far this session.

Canada's premiers, through the Council of the Federation, made clear the importance of water as a national priority when they approved the *Water Charter* in August 2010 to guide the delivery of water management programs in their respective jurisdictions. The *Water Charter's* goals are to reduce consumption, increase efficiency, protect quality and adapt to the effects of climate change on water.

We are also proud of two years of research, discussions, writing and web development that has resulted in the Yukon water website that has been up and running during the past fiscal year.

The single-source web portal helps individuals, industry, governments, non-governmental organizations and regulatory agencies get the information they need on everything to do with water in Yukon. I would encourage members to visit the site www.yukonwater.ca. It is an excellent resource with a significant amount of information. The site lists over 1,300 locations around the territory where water is being monitored or was studied in the past and provides details on how water is used for mining, agriculture, fisheries, forestry and oil and gas. Information is also provided on the federal, territorial, municipal and First Nation governments and their role in water management, as well as the regulatory agencies which review water use in the territory.

There are five locations that the department will be working on this year as part of its efforts to clean up and remediate Yukon government contaminated sites, as well as the continuing initiative to clean up and remediate the Marwell tarpit in Whitehorse. We are continuing with year 3 of a five- to six-year program to clean up the Klondike River Highway maintenance camp on the Dempster Highway.

We will be doing ongoing assessment work at the Swift River highway maintenance camp this year to determine our course of action and the potential cleanup costs.

The Climate Change Secretariat is one of Yukon government's agencies that will be welcoming delegates to the international youth eco-forum on climate change and creating balance, being hosted this August by the Yukon government. The main sponsor for this event is the Northern Forum, which is made up of eight sub-national and regional governments from eight northern countries. We anticipate the arrival of at least 40 youth delegates from across the circumpolar north. There could be as many as 70 delegates, including chaperones. They will join Yukon youth in an event coordinated for five days of programming as they cultivate youth leadership, environmental awareness and circumpolar relationship-building.

I have listed some of the new initiatives that the department will be undertaking this year as we work toward sustainable management and effective environmental stewardship of

Yukon's rich biodiversity. We are continuing to work on climate change and the Yukon government's response to adapting to the effects of climate change and what we can do to reduce our contributions to greenhouse gas emissions. We will be looking at new ways to communicate and deliver our services to the public, and we will be continuing our inventory and monitoring programs for fish and wildlife populations, air and water.

We will be expanding our ongoing work to develop fish and wildlife management plans with the participation of our partners and stakeholders. Through our actions, we will support a healthy, sustainable and prosperous Yukon now and into the future. I would like to thus extend the opportunity to members opposite to raise questions about our budget. Thank you.

Ms. White: In an effort to debate all departments, I will keep my questions to a minimum and wait for line-by-line discussions on some items.

I would like to thank the department officials with whom I met for their thorough and informative briefing. Many of my more procedural questions have already been answered by the officials, so I will concentrate on other items of concern.

I would like to start with water. As you mentioned, the Council of the Federation meeting in August 2010 saw the Yukon also accept the Yukon River Inter-Tribal Watershed Council strategy with the goals to reduce consumption, increase efficiency, protect quality and adapt to the effects of climate change on water.

How has the territory and department met those goals today and what kind of implementations are we seeing?

Hon. Mr. Dixon: Madam Chair, one thing I did skip over in my opening remarks was that we are commencing two monitoring stations in the Yukon, one at Scroggie Creek and one at Thistle Creek. I know I have discussed this before in the House, but I did forget to mention it. I skipped over a paragraph in my notes.

In terms of working toward meeting the goals of the *Water Charter*, one of the things, as I mentioned, was the development of the yukonwater website. One of the goals in the charter is of course to produce and share more information about water, so the Department of Environment took the step of having a single web portal to provide as much information as possible, collaborate on as much information as possible and make it available to the public. On that website, we will see pretty much everything we know about water that has been done or is ongoing. The data on there ranges from creek flows and turbidity to anything we know about potential water quality measures throughout the territory.

I would say that as the next step, in terms of meeting our goals, I would highlight the importance of developing a water strategy. It's something that we know is very important. It's important to the work of the department, and it's important to the work of all the departments that have a say in water management. It's something we heard throughout the campaign last year, and it's something that has obviously been a point of discussion in this House previously.

It's our hope that that water strategy will address a number of things. As I said, it will involve the various departments that

will be engaged in water management, as well as other governments — municipalities and First Nations — that all have a stake in managing Yukon's water resources.

In terms of the member's question, proceeding forward with a water strategy is, of course, one of the key things there. Increasing our monitoring and data collection and improving our ability to share it and distribute it through the yukonwater.ca website are some of the ways we're moving forward with water management.

Ms. White: I thank the minister for opening the door on the water strategy.

Where is the department in implementing or crafting that water strategy as proposed to Cabinet in September 2010? It was discussed as early as 2006, so where are we in that process of the water strategy?

Hon. Mr. Dixon: As I said earlier in my opening remarks, preliminary work has begun, and we are hoping to go out to public consultation later this year, I believe in the fall — hopefully in the fall — to consult Yukoners and other stakeholders in water management, including First Nations and municipalities. That's where we are in that process.

Ms. White: I thank the minister for answering my next question without me even asking it. The department would address some aspects of the water strategy like increased data and information collection, but the strategy as proposed does not include — and this is going back on the documents that I have seen — source water protection, including surface and ground water, protection of wetlands and headwaters, and restriction of deleterious land uses that may contaminate drinking water sources. Will these concerns be addressed in the public consultation or on a department level?

Hon. Mr. Dixon: Thank you. I will try to touch on all of the items raised by the member opposite.

The first one was source water protection. Of course, last fall in our first sitting in this Legislature, we heard a report released from an NGO from down south, I believe it was in Ottawa, criticizing the Yukon government source water protection mechanisms, I suppose.

One of the issues there is the fact that the majority of Yukon's drinking water comes from ground water, so it does not need — let me rephrase that. In other areas of the country, where they have vast tracks of open water, which is their source of their drinking water, they are required to have source water protection around that land to prevent disturbances and stuff getting into the water, essentially. We do not have that issue here in the Yukon as much, because we are so reliant on ground water for drinking water, so that was one of the issues that we took with that report from the NGO down south. It simply did not recognize the realities of our drinking water situation here in the north.

When it comes to wetlands, we've adopted a new classification system for assessing wetlands, and we're moving to implement that classification system. So we hope that will help us understand our wetlands here in the Yukon. As I mentioned previously, we've identified a number of areas for protection through the implementation of land claims over the years, as well as regional land use planning. Some of the biggest wetland

complexes in North America are protected right here in Yukon as a result of the *North Yukon Regional Land Use Plan*.

In terms of gathering that information, that's precisely why we want to go out to the public for consultation and find out which issues are important to Yukoners and gather that information from other levels of government, as well as First Nations.

Ms. White: With relation to the source water protection — understanding that our drinking water often comes from groundwater, is the minister saying that he does not believe that source water needs to be protected?

Hon. Mr. Dixon: No, of course, I'm not saying it doesn't need protection. I'm just saying the kind of protection contemplated in the report I was referencing isn't necessarily appropriate in our case. We don't need vast tracts of land set aside for source water protection for our drinking water because we do not draw our drinking water from surface water.

Groundwater, though, is something that needs to be addressed and that is something that we really hope to address in the water strategy. Developing our understanding of the groundwater regime — oh, I didn't say thank you, Madam Chair. I apologize, Madam Chair. As I was saying, the water strategy — I lost my flow there.

As I was saying, what we hope is that within the water strategy, we would address issues around better understanding our ground water regime, so that we can protect it, obviously, as well as provide that data to Yukoners, including industry, who have an interest in better understanding our groundwater regime and how that water travels through the ground — is the better way to describe it, I guess.

Ms. White: Thank you. I will let the minister know that I have also gotten a note about things that I need to watch while I speak, so we are on the same page.

Baseline data and water monitoring collection for the White Gold and Rackla areas is very important, but so is gathering baseline data in areas that have yet to be disturbed.

Does the department have a plan to do increased territory-wide baseline data and water monitoring collection prior to increased human development activity?

Hon. Mr. Dixon: The Department of Environment does work with Environment Canada to monitor sites throughout the Yukon, not just where we see increased development. As I said, the yukonwater.ca website does collect all of that data into one source for the public. There are 1,300 different monitoring areas throughout the Yukon that we monitor. The ones, as I've noted here earlier, are a result of increased development in the area where we feel that we would benefit from an increased understanding and an increased body of data related to the water quality and water turbidity. That's why we've targeted those areas and that's why I've highlighted them today.

We do have an ongoing information gathering program throughout the territory. As well, we also do snow surveys across Yukon to help predict floods and water levels and provide that information both to Yukon Energy Corporation and communities that could potentially be threatened by floods. I guess to answer the member opposite's question, we do water

quality assessment work throughout the territory and we will continue to do that.

Ms. White: With the aspiration of having land use plans move forward in the two areas that have been identified, have they now been put on the plan as far as baseline data and water collecting — that entire part — getting that ready for the land use plans that we are hoping to move forward in the next little while?

Hon. Mr. Dixon: We do collect water data throughout the territory and all those regions. So if the member means the north Yukon, specifically, of course within that area — in future areas, we do water data collection throughout the Yukon in all regions and in all the regions that would potentially be identified for the development of regional land use plans.

Ms. White: Out of eight major river systems that Canada and the Yukon are monitoring, only four have complete data. Of those four, one is marginal, one is fair, one is good and one is excellent. When can we expect to see complete data on the other four river systems and the "marginal" and "fair" collection improved?

Hon. Mr. Dixon: We monitor all major rivers in the Yukon. I'm not sure which eight the member is referring to. I wonder if she could provide a little clarification as to which eight she is referring to.

Ms. White: I am frantically looking for that paper, but maybe someone will send it in when they hear this. I will move on to the next question, and I will come back when the paper magically appears.

Given the increased development activity throughout the territory and the urgent need for land use planning — examples are the recent Whitehorse Trough oil and gas disposition — the territory needs much more water data collection and monitoring. Will the minister commit to developing a comprehensive plan, as well as the cost of that plan, for delivering baseline data collection and monitoring of Yukon's freshwater sources?

Hon. Mr. Dixon: What I will commit to, of course, is the development of a Yukon water strategy, which will do precisely that. It will identify areas throughout the Yukon where we need to do additional monitoring; perhaps improve existing monitoring, as well as continue to monitor where we are currently. The water strategy is really intended to address all of those things, so I hope that answers the member's question.

Ms. White: With public consultation expected on that water strategy this fall, when can we expect to see the water strategy implemented or brought forward in this House?

Hon. Mr. Dixon: Just as a point of clarification, I think I perhaps got my facts incorrect there. We'll be doing targeted stakeholder consultation this fall first, then public consultation after that. So the timelines after that will depend on what we hear from Yukoners on what we need to do, in terms of development of a strategy. We think that, as I said before, Yukoners are keen to have this, and it was a platform commitment of ours, so we are keen to move forward with it. But beyond the consultation timelines, we don't have any other timelines.

Ms. White: My list of rivers have just magically appeared in front of me, so when I am referring to the eight major

river systems — so the ones right now that don't have the completed data, we have the Dezadeash River at Haines Junction; the Porcupine River above Old Crow; Yukon River at Marsh Lake dam. The ones that are fair and marginal — we have South McQuesten River below Flat Creek and the Klondike River above Bonanza Creek.

Hon. Mr. Dixon: When it comes to monitoring Yukon's rivers, we do so on a risk-management basis. So, if there are data gaps on particular rivers that need to be filled, that's what will guide us forward. If there is an identified need for additional information, we will base our decisions on that. It is an ongoing process — developing our understanding of water quality throughout the Yukon.

Ms. White: When we were just speaking about the water strategy and that time frame — have we got a broad estimate of when we could see this or when the public consultation part will happen?

Hon. Mr. Dixon: As I said, we'll be doing targeted consultation in the fall and public consultation relatively shortly thereafter, I assume. Beyond that, the department officials will have to collect the data gathered by the consultations, assess it and develop a water strategy. The exact amount of work that will be required will depend on what we hear from the public and what we hear from stakeholders. So beyond those timelines I mentioned, I wouldn't be willing to commit to any more precise timeline than that.

Ms. White: I thank the minister for that answer. In referencing the questions I asked today in Question Period, the minister spoke about measures that the department is currently undertaking to protect species at risk and their habitat. Could the minister elaborate on those for me, please?

Hon. Mr. Dixon: In terms of protecting habitat, there are a number of special management areas throughout the territory that have arisen from the implementation of land claims as well as the land use planning process, as well as habitat protection areas. We identify those areas through a number of means, as I mentioned, and then typically create management plans, usually with First Nations and our partners, depending on the specifics. We have identified a number of those recently, including Devils Elbow and Big Island in the Mayo-Stewart area — south of Stewart, I believe. Those are the kinds of ways we are protecting wildlife habitat.

Ms. White: Is this specifically for the species at risk, so not just general habitat but for our more endangered creatures?

Hon. Mr. Dixon: There are a number of mechanisms for identifying species at risk. One of those is the Committee on the Status of Endangered Wildlife in Canada. On that committee, we do have a representative, so Yukon has a representative on that committee.

COSEWIC, to use the acronym, is a national committee that evaluates the status of all wildlife species in Canada and identifies those most at risk. There is quite a list of those species that are in Yukon. I won't read them all, but I would say that there are probably 20 or so that range on the spectrum from not at risk to extinct. There is a whole range on that spectrum, such as not at risk, special concern, threatened, endangered,

extirpated and, finally, extinct. When it comes to specific species there, I will give the member an example, which will be more helpful. Recently, two species of bats were identified by COSEWIC that do occur in Yukon and they were assessed as endangered across Canada by COSEWIC. Those species will likely be added to the federal *Species at Risk Act*.

Environment Yukon is working closely with our colleagues across Canada to coordinate the monitoring and mitigation response to white-nose syndrome, which is a syndrome which afflicts the said bats and is a cause for their decline.

Environment Yukon has been monitoring little brown bat populations in Yukon since 2004. As a result, good baseline information on Yukon bats is available to assess the impact that white-nose syndrome may have in Yukon. We engage with a committee like COSEWIC to identify species and then provide the data that we have from our inventory and monitoring programs to help develop strategies for those species. We're engaged in the process for management of all major species at risk that occur in Yukon and we are engaged with our other partners such as the federal government in the management of those species.

Ms. White: I'm also referencing a discussion we had earlier today where you were citing examples in other jurisdictions where they had run into problems with implementing species at risk legislation. What I'm going to ask now is: Can the minister please cite examples of other jurisdictions that have implemented and are now questioning their own species at risk legislation? Can the minister also explain to us what he believes some of those problems have been?

I believe earlier it was referenced that it was Nunavut and polar bears, and if the minister can explain to us the problem that has happened there between the territory and the federal government.

Hon. Mr. Dixon: As I said, yes, a number of other jurisdictions have adopted species at risk legislation, including our neighbouring territories. In the case the member opposite is asking about, I was referencing the polar bear and Nunavut, and that's a case where Nunavut has species at risk legislation, and the federal government was moving to classify the polar bear as — I'm not sure if it was endangered — well, classify it as a species at risk. The federal government was doing that unilaterally, despite the fact that Nunavut didn't think, in their opinion and through their legislation; that the polar bear needed to be classified as such.

That's an example of a case where conflict has occurred between the federal government and a jurisdiction with species at risk legislation. I wouldn't say that they are necessarily questioning their decision to create legislation, but they are having issues. They are having issues like the one I just mentioned where the relationship between the federal legislation and territorial legislation seems to be somewhat unclear.

To provide a little further context to my answer today in Question Period, what we are doing is assessing those issues.

We're talking to our counterparts in those jurisdictions and we're assessing whether or not we need to move forward with species at risk legislation at this time. Given that procedure so far, we've determined that we may want to wait and see if the

federal government is going to continue to use its legislation to go over the heads of the other territorial governments' legislation, and if that's the case, perhaps adopting our own legislation isn't necessarily the best way forward.

We do have a number of other mechanisms for protecting and managing species at risk in Yukon and we've found, to date, that they have been adequate.

Ms. White: Citing that example the minister just gave with the polar bear, the federal government and the Government of Nunavut, are we concerned about specific examples comparable to that situation within the territory that the minister is worried will cause those conflicts?

Hon. Mr. Dixon: I wouldn't say that we are specifically worried about any particular species, but what is important is that we are working with other jurisdictions on any and every species of concern. That is effective now. I wouldn't say that there is a specific species that we are worried would reflect the same situation as has occurred in other jurisdictions.

What we are concerned with is just the general application of the law and whether or not it is necessary and whether or not the relationship between the federal government legislation and the territory's legislation — if it's necessary for us to move forward with our own legislation. Our experience to date is that there have been issues, and that we would take those issues seriously and consider them before we move ahead with our own.

Ms. White: It is important to note that species at risk are not only animals. We have a wide variety of flora and insects as well. Many of those species aren't found in any other areas until they are discovered in the one where they are found.

What protection do those species have right now under our current legislation?

Hon. Mr. Dixon: There are a number of Beringia species that only exist in Yukon that are identified by COSEWIC. I give the example of the Yukon draba, which is a plant that's endangered; the dune tachinid fly, which is an insect — those are examples of species that the member opposite has referenced that are protected currently by COSEWIC.

Ms. White: How exactly are those species protected within the Yukon boundaries without our own legislation?

Hon. Mr. Dixon: They are identified by COSEWIC as endangered or whatever classification they're given under the COSEWIC continuum. Once that has occurred, we work with the federal government to develop a management plan. It is usually informed by the data that we have collected over the years and the data that we have in our inventory of that particular species.

For instance, in the Carcross Desert, the baikal sedge is a plant that is identified as threatened under COSEWIC, and we're working to develop a management plan with the federal government to manage that species at risk.

Ms. White: Will there be any opportunity for the public to weigh into the conversation as to whether they believe that we should have a species at risk legislation, or will this only be a government decision as to whether or not we should move forward with such legislation?

Hon. Mr. Dixon: When it comes to developing legislation, obviously, the government has a number of responsibilities across the spectrum and across departments. When it comes to development of new legislation, I don't think it would be prudent to go out and contemplate something hypothetical or to consult on something hypothetical.

I would say that if individuals have concerns about our current management plans or existing species that they think should be identified, they can always contact the Department of Environment to raise their concerns, or if they feel it's necessary, my office, to identify their concerns.

I don't anticipate that, given what I've said already: that we will be moving forward any time soon with development of species at risk legislation, given the fact that we're observing our neighbouring jurisdictions who are encountering some issues with their legislation. Until we have greater certainty around the federal government's processes around species at risk legislation — we understand they may be considering changes to their own legislation — until that happens, I don't think we will be moving forward with species at risk legislation.

Ms. White: I'm going to switch topics now to the Southern Lakes woodland caribou herd which I didn't know a lot about until last October and now I've had the chance to learn a lot more about it and it's great.

So the Southern Lakes woodland caribou numbers are on the rise, which is fabulous news. However, many caribou continue to be killed on our highways and roads, especially during the winter. What measures will the minister take to decrease roadkill and to reduce caribou deaths due to salt use on the Southern Lakes highways?

Hon. Mr. Dixon: Indeed, we have identified the conflict between traffic and wildlife as an issue and are working with the Department of Highways and Public Works to conduct a project to reduce highway wildlife mortality. We know that collisions with wildlife on Yukon highways result in safety concerns to both highway travellers and wildlife.

This project supports establishing a collaborative approach to investigate potential mechanisms for reducing wildlife-vehicle collisions, including the use of signage alternatives, education campaigns and right-of-way management techniques.

Discussions with Highways and Public Works, First Nations, and community members will attempt to identify problems and solutions for right-of-way management to reduce attractants near or on the highways. That includes some of the products that Highways and Public Works uses to maintain the roads, like applying salt.

Ms. White: I am pleased to know that the minister is speaking to his counterpart in Highways and Public Works. Is the minister aware of a pilot project that was proposed a number of years ago that saw a non-toxic additive added to the road salt to deter the caribou from going on the highway?

Hon. Mr. Dixon: Yes, indeed, we have previously considered the use of lithium chloride as an additive to our road salt for use by the Department of Highways and Public Works. At the time we raised the project, there were concerns from First Nations about the product, so we have been having ongo-

ing consultations with them. I believe that is the status of that particular project.

Ms. White: I'm sure most of the House realizes that there is a ban on the Southern Lakes woodland caribou hunt within the Yukon. Is the minister aware that there is a problem on the B.C. side of the border with outfitters hunting the caribou?

Hon. Mr. Dixon: Yes, we are aware that outfitters in northern B.C. continue to harvest and have been in continuous discussions with the B.C. government about this. We are working toward solving the issue.

Ms. White: I am just going to use the opportunity right now to let the Leader of the Third Party know that I am coming down to my last couple of pages.

I have some questions related to the environment audit dated September 8, 2010. I do recognize this audit covers a three-year period from October 1, 2006, to September 30, 2009. I'd be happy to be corrected, but I believe that this is the most recent audit. Is that right?

Hon. Mr. Dixon: That is correct. There will be one done this winter.

Ms. White: I thank the minister for that answer. That is one of the questions in the last pages.

When was the last time the Yukon conservation strategy was revised?

Hon. Mr. Dixon: I don't believe that strategy has been revised for a number of years. I don't have anything more specific, unfortunately.

Ms. White: Is the Yukon conservation strategy not required to be revised every three years? If we are not sure when it was last revised, are we not due for a revision?

Hon. Mr. Dixon: The *Environment Act* continues to have a number of outdated provisions in it, including assessment, forestry, which remains in the *Environment Act*, and this does not reflect the realities that we are faced with today. In terms of assessment, we now have YESAA, which is the main vehicle for assessments of projects in the Yukon.

In terms of forestry, several years ago we developed a *Forest Resources Act* through the successor resource legislation process. In this particular case, this is a relatively outdated provision. We believe that there are better ways to report on our actions and we have done that through a number of other mechanisms, including a number of planning initiatives and a number of plans, reports and mechanisms like that, which we find are more modern, relevant ways of reporting.

Ms. White: I am just going to skip forward just in direct relation to that answer.

After a third-party evaluation, the department committed to developing a workplan outlining the suggested steps for undergoing an official review and revision of the *Environment Act*.

Where is the department in this process and when can we expect public consultation on revisions to the *Environment Act*?

Hon. Mr. Dixon: At this point, we don't have specific timelines around the questions the member opposite is raising regarding the *Environment Act*, although I would say I agree that there are, as I said before, inconsistencies in the current act

and there are a number of outdated provisions, which do make it difficult for the Department of Environment to continue to operate appropriately. But this is the case with a number of pieces of legislation throughout the Yukon. We have a number of — in some cases — very outdated pieces of legislation that we would love to get to revise or modernize. We dealt with that earlier when we looked at the amendments to the *Liquor Act*. Indeed, in some cases, when we want to make a specific surgical amendment to an act to address a specific need, we do that to avoid doing a comprehensive review to an act, which can take a significant amount of time.

Now I won't preclude the possibility of conducting a more fulsome review of the *Environment Act* at some point, but I don't have a specific timeline for the member.

Ms. White: My concerns about the revisions in the *Environment Act* are going to be very clear in a second.

In 1988, the Yukon government established the Yukon Council on the Economy and the Environment and entrenched it in the *Environment Act* in 1989, and in the *Economic Development Act* in 1992. The legislated purpose of YCEE is to "encourage sustainable development in the Yukon."

In 2005, the YCEE ceased to function as an advisory body to the government. In 2008, the department stated that a review was underway to determine whether the body should be resurrected and that this review would produce an opinions paper. No paper was submitted, that we could find.

YCEE continues to be non-operational. As a result, the government is not able to satisfy the requirements of sections 22 and 49 of the act, in that, the Yukon state of the environment report and complaints cannot be submitted to the council as required.

Section 49 of the *Environment Act* requires the full state of the environment report to be reviewed by the Yukon Council on the Economy and the Environment. It also requires that that council submit a report to the Legislative Assembly. On December 6, 2011, the Premier said: "Mr. Speaker, at this time, the Yukon government has no plans to reactivate or reconstruct the Yukon Council on the Economy and the Environment." How is the minister meeting the requirements of the law when the council no longer exists, and that council is required by law to review and submit a review and report to this House?

Hon. Mr. Dixon: Indeed, as I said before, the Yukon Council on the Economy and the Environment, which is identified in the two acts the member referred to, is simply an outdated provision of those acts.

In many ways, the realities of devolution and the establishment of YESAA have really taken over the responsibility of the assessment process for projects in Yukon. When it comes to a number of these issues that relate to outdated provisions in the act, those are the sorts of things we want to address in the review of the act at some point.

Ms. White: So the concern I have now is that we have been told there is no timeline for reviewing the *Environment Act*, which has just been said to be outdated. I mean, we are not in compliance with the laws as laid out in the *Environment Act*. We are not in compliance with the laws.

When can we expect compliance with these laws, as laid out in the *Environment Act* by the reinstatement of the Yukon Council on the Economy and the Environment?

Hon. Mr. Dixon: As I said before, of course, the Yukon Council on the Economy and the Environment is an outdated provision of the act. I don't believe there are any plans on reinstating it. In terms of our review of the *Environment Act*, it is something I think we will consider among the suite of legislation before the House throughout the next several legislatures.

Ms. White: I have grave concerns. It has already been seven years that the department has not been in compliance with those laws. How many more years can we expect of non-compliance? Can we expect the *Environment Act* review to happen sooner rather than later?

Hon. Mr. Dixon: I guess that depends on — terms like “sooner or later”. As I said before, there's no specified timeline, so I'm not going to say what is sooner or what is later without a more clear understanding of what those terms are referencing.

Ms. White: Well, so far, we're seven years now in non-compliance, so I'll pick a number. Let's say in the next two years, can we expect a review of the *Environment Act*?

Hon. Mr. Dixon: As I've said, there is no specified timeline for the revisions or a review of the *Environment Act*. I would say, though, that I think it's something we would look at doing in our current term, if we deem it's something we want to pursue in our legislative agenda over the next several years of our mandate.

Ms. White: I'll change tracks again, to the discussion of a Yukon water strategy and public consultation after the stakeholder consultation in the fall.

Concerns have been raised by members of the public that the water monitoring will be transferred from Environment to the Department of Energy, Mines and Resources. Will the minister commit to keeping those monitoring systems under the Department of Environment after those public consultations?

Hon. Mr. Dixon: As I've said before, when it comes to inspections of water use for mining activities, there are already a number of ways in which the Department of Environment and the Department of Energy, Mines and Resources work together. The Department of Energy, Mines and Resources has conducted inspections for mine water use for placer mines for a number of years now. In the specific case of the Minto mine, the Department of Energy, Mines and Resources conducts the inspections for mining water use at that site.

Regardless of which departmental cap an individual wears when they go out to inspect a mine or the water usage of the mine, we expect that they do so in full compliance with their legal obligations, as well as the duty to reflect the public trust. If the individual works for the Department of Energy, Mines and Resources or the Department of Environment — both departments, I might add, work together quite collaboratively when it comes to the inspections for water use at mine sites.

We expect them to do the best job they can and we rely on them to conduct themselves and conduct their work as best they can and in full compliance with the law.

Ms. White: I'm going to switch topics again. It has been in discussion before: a Kusawa Lake park. Where are we in that discussion?

Hon. Mr. Dixon: We are working with the affected First Nations about what their role in park management will be. Discussions are nearing completion regarding a management committee that will help oversee the implementation of the park management plan. Park planning for both Kusawa and Agay Mene will be able to resume in the near future when the terms of reference are finalized with First Nations. Similar committees are already established for Tombstone and the Fishing Branch parks, so we have some experience with this, but it is just a matter of developing those committees with First Nations. That's the current status of those.

Ms. White: I would like to thank the minister for his answers and his deputies for their time. In the interest of time management, I am going to leave the floor open to my colleagues and I look forward to line-by-line discussions.

Mr. Tredger: Thank you. Welcome to the Deputy Minister of Environment.

I just have a couple of really brief questions. Much of the Mayo-Tatchun area is what is commonly referred to as Beringia and the Beringia area, and it is unique in that in the last ice age, it was one of the few areas of North America that was not covered with ice.

I know over the last couple of years, the biologists in the Department of Environment have done a wonderful job of surveying the area in advance of mining activity, or projected mining activity, or prospective mining activity. They have done surveys and identified a number of unique plants, and it is imperative that those surveys keep on occurring probably three or four times a summer, so that they get the plants in various stages and are able to identify them.

I had the good fortune to meet a number of the crews on the Yukon River last summer and they were coming up with some very — to them anyway — very exciting plant life and discoveries in terms of small insects. Will those surveys continue on a regular basis, as they have been before, and perhaps even increase, given the amount of activity?

Hon. Mr. Dixon: To answer the member opposite's question, we have three new cumulative effects assessment projects underway this year. Those are new additional measures to conduct monitoring assessment work in those areas. When it comes to how many times a year biologists or department staff conduct their business, I have to rely on the advice from the experts on that. As minister, I don't choose how many times they review specific plants or animals. In the case of these new cumulative effects assessment projects, staff identified the area as a particular interest for increasing the amount of data and monitoring we conduct there. That's why we've identified funds in the current budget, and that's what you see before you today — to conduct that work and do the work as advised by department staff.

Mr. Tredger: I believe White River is one of them and it would touch on the area. I just urge the minister and the department to continue monitoring. As the minister, I don't have all the knowledge and don't know how many times a year,

but I do know that it is important that those surveys and those missions continue.

Hon. Mr. Dixon: I have to say that I agree with the member opposite. It is important that we do this work and that's why we put it in the budget. I look forward to his support for this budget.

Mr. Tredger: One other question has to do with YESAA. YESAB has identified input as one of the critical aspects of their studies. Given the fact that the number of assessments that YESAB is required to do with our increasing exploration and development of mining proposals — in fact, on last check, they were getting a new proposal at the rate of one per working day which is going to put a lot of stress on those areas that they're relying on for data. Given the fact that the federal government under their new budgetary restrictions may not be able to do as many as they have, has the department or has the minister looked at the risks involved in not doing that in terms of slowing down the economy?

Has he made some assessment as to how many more personnel and how many more resources are going to have to be allocated in order to fulfill the requirements of YESAA?

Hon. Mr. Dixon: In terms of recognizing the increased activity in the area, of course, that's why we put in 154,000 new dollars in this budget cycle to conduct these operations to provide additional information and data to the YESAB process. Of course, the federal government funds YESAB, and we have no say in that matter. But, of course, we want to do our part to make sure we manage the risks the member opposite's referring to. That's why we conduct additional monitoring and assessments. That's why we are conducting additional monitoring this year, as I said, to the tune of \$154,000 extra.

Mr. Tredger: One more question on that \$154,000: Will that include a position? Is that a personnel position or is it general operations?

Hon. Mr. Dixon: That does include one, specific biologist, identified specifically for the three projects referenced.

Mr. Tredger: Yes, it doesn't confine them to those three projects. It's pretty well throughout the territory. Will any of that money be allocated to meeting the requirements of YESAA, or is it specific to the three areas that you mentioned?

Hon. Mr. Dixon: The data available as a result of these projects will benefit YESAB when they conduct their assessments. They need the data to make their decisions, and Environment Yukon is but one of the many sources they look to for that information. What the money and projects will do is to provide additional information that will benefit YESAB.

Mr. Barr: Can the minister please tell us how the department is dealing with the spruce beetles, both in the Kluane area and throughout the Yukon?

Hon. Mr. Dixon: The mandate for dealing with the spruce beetles is a forestry issue and is dealt with under the Department of Energy, Mines and Resources.

Ms. Stick: I was listening to the minister speaking about campgrounds and the increase in the number of permits that are given out and the increasing number of people who are using the campgrounds in the Yukon. I think that is a great

thing. I think one of the treasures of the Yukon is our campgrounds, and I know many, many Yukoners who like to use them on weekends and whenever they get a chance.

The minister did mention possibly opening up some new campgrounds, or at least adding on to the ones that already exist. I'm just wondering if the department has considered looking at some of the old sites of campgrounds that were closed, probably back in the 1980s. I can think of a couple — one up on the Aishihik Road near Otter Falls and another one out toward Marsh Lake.

It would seem to me that some closer to town might also be encouraging for young families who would like to get away from Whitehorse or from their community, but not have to go too far. Thank you.

Hon. Mr. Dixon: In our election platform from last year, we identified the creation of new campgrounds, as well as the potential expansion of other campgrounds as a commitment — that is something that I look forward to going forward with.

As the member opposite said, I think that it is a fantastic statistic to see the increased usage of campgrounds in Yukon. Part of that is a result of the increased population and more people coming to the Yukon and wanting to experience the Yukon way of life, which, of course, includes experiencing our wilderness, and they often do that through the use of campgrounds.

When it comes to the specific former campsites the member opposite referenced, I am not familiar with exactly which ones she is referring to, but I know that we are conducting a comprehensive review of campgrounds and campground usage throughout the territory to assess where we would identify new sites, and where the potential growth of existing sites could occur.

I would say that I agree that the Whitehorse area tends to be the primary area of usage for campsites. Indeed, in other regions of the Yukon — I would say more remote regions of the Yukon where we have campsites — there is a significantly less usage, unsurprising, given the population concentration in Whitehorse. But we recognize that and that's why I would anticipate that when we got to the point where we were specifically identifying an area for a new park, we would consider proximity to Whitehorse as that tends to be the source of usage for those campsites.

Mr. Barr: Further to the campgrounds, I understand that most First Nations have signed final agreements. I was out in the Tagish area. I guess the CTFN now has taken over the responsibilities of the Tagish and the Carcross campgrounds. I was wondering what other campgrounds in the territory are run by other First Nations who have finalized their agreements — if there are — and which ones they would be?

Hon. Mr. Dixon: Of course, the member opposite is correct. The Carcross-Tagish First Nation has the site he mentioned. As well, in Carmacks, the Little Salmon Carmacks First Nation has taken over the site there as well. Those are the only two that we are aware of at this time.

Ms. White: I'm not sure how we should proceed at this point. I request a five-minute break.

Chair: Would the members like a short 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. We will continue with general debate on Bill No. 6, Vote 52, Department of Environment.

Ms. White: I thank the members for their indulgence in trying to figure that out. I had some questions that I was going to ask for in line-by-line debate, but I am going to ask them now in general debate.

Can the minister tell us how many full-time equivalents are in the Department of Environment, please?

Hon. Mr. Dixon: I am glad the member opposite has asked about the staff in my department, because of course I would like to take this chance to thank departmental staff for their excellent work in developing the binders that I have here before me to help me get through this as well as the budget that is before us today.

My understanding is that currently there are about 229 FTEs in the Department of Environment. They range throughout the Yukon, here in Whitehorse as well as offices in Dawson. When it comes to conservation officers, we have conservation officers throughout the territory, including Watson Lake where of course we see a new structure. A new building for the conservation officers as well as Environment staff is being built there in Watson Lake. Staff in Haines Junction — the Member for Kluane has a very positive relationship with the staff there, I hope — and indeed throughout the Yukon as far north as Herschel Island where we have a territorial park and staff who maintain that. I hope that answers the member opposite's question, and look forward to additional questions.

Ms. White: I was going to ask how many of those staff live in the communities and in which communities are they in. I have already heard Dawson, Watson Lake, Haines Junction and Carmacks. Can you give me an idea of how many staff within the department reside outside the City of Whitehorse?

Hon. Mr. Dixon: I don't have a specific breakdown of where our staff is, unfortunately. I do know that we have staff in Old Crow, Dawson City, Mayo, the communities throughout Yukon. When it comes to regional biologists, we typically have a regional biologist throughout the Yukon as well as conservation officers who are stationed throughout the Yukon. There are a number of staff who are based in Whitehorse, but there are staff throughout the territory as well.

Ms. White: Does the department hire seasonal employees and, if so, how many?

Hon. Mr. Dixon: There are 37 seasonal staff typically hired for parks in the summer period. We raised a few issues earlier relating to — never mind; I'll leave it at that.

Ms. White: I was on the websites earlier, both the water and Department of Environment websites. They are very helpful and very informative. What I was trying to find out was

the number of contaminated sites within the territory, if I could just start with that question.

Hon. Mr. Dixon: I thank the member opposite for the excellent question. There are 68 contaminated sites we have identified, throughout the territory. They are as follows: Teslin aerodrome; Old Crow airport; Mayo airport; Ogilvie airstrip; Burwash aerodrome; Haines Junction airport; Beaver Creek aerodrome; Faro aerodrome; Ross River aerodrome; Macmillan airstrip; the Klondike River site; Beaver Creek site; Carcross site; Carmacks site; Dawson City site; Destruction Bay site; Drury Creek site; Eagle Plains site; Fraser site; Haines Junction site; Mayo site; Ogilvie site; Old Crow site; Ross River site; Stewart Crossing site; Swift River site; Teslin site; Tuchtutia site; Blanchard River site; Quiet Lake site, Twin Creeks; Old Dawson maintenance yard; the old Mayo Community and Transportation Services shop; Mayo central workshop; the Yukon Liquor Corporation in Whitehorse; and a number of other ones as well. I won't actually list them all; it gets a little repetitive.

I will say that identified in the supplementary budget is some money identified for addressing contaminated sites in Yukon. As I said, Environment Yukon administers the environmental liabilities program and coordinates the interdepartmental involvement with Yukon government-owned contaminated sites. Under the government's liabilities policy, we are required to estimate future costs for cleaning up contaminated sites for which the government is responsible. We also work with guidelines developed by the Department of Finance to determine the estimated costs for cleaning up these sites. These contaminated sites can include highway camps, as I mentioned, as well as a number of airstrips throughout the territory.

When it comes to addressing these sites, as I have mentioned before, we have a process. It is undertaken by our branch, which we refer to in Environment as SARU, the site assessment and remediation unit.

That unit develops a budget on an annual basis for the contaminated sites throughout the Yukon. As I've said, it has identified a number of sites that we know about already. They identify those sites on a risk-management basis, where they identify the site and the extent of the contamination that they understand it to be. Based on that early assessment — the phase 1 assessment — they make a plan for development of a remediation plan.

In terms of budgeting for site identification, investigation and assessment, the 2012-13 O&M budget for activities related to site identification, investigation and assessment is \$822,000, of which \$310,000 is for three FTEs to administer the program, \$400,000 for assessment with contracts and the remaining \$112,000 is for other operational support. This budget also covers assessment activities related to the Marwell tar pit, which of course the Member for Takhini-Kopper King has raised with me before.

This budget also covers assessment activities, which they can find on page 10-14 of the budget, if they're interested. In terms of the budget for site remediation, the budget for mediation activities requires an annual plan of proposed remedial activities and estimated costs be submitted to Management

Board for approval no later than January 31 of the immediately preceding fiscal year. The approved 2012-13 plan for remediation activities provides \$730,000 to work on five contaminated sites, as well as \$55,000 to cover Yukon's 30-percent share of the Marwell budget in accordance with the payment schedule laid out in the Canada-Yukon Marwell tar pit remediation agreement. This budget is presented on page 10-14 of the 2012-13 estimates.

That being said, I move that we report progress.

Chair: It has been moved by Mr. Dixon that the Chair report progress.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. McLeod: Committee of the Whole has considered Bill No. 6, entitled *First Appropriation Act, 2012-13*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Chair: I declare the report carried.

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

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

Motion agreed to

Speaker: This House stands adjourned until 1:00 p.m. on Monday.

The House adjourned at 5:25 p.m.