



# Yukon Legislative Assembly

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## HANSARD

Tuesday, April 14, 2015 — 1:00 p.m.

Speaker: The Honourable David Laxton

# YUKON LEGISLATIVE ASSEMBLY

**SPEAKER — Hon. David Laxton, MLA, Porter Creek Centre**

**DEPUTY SPEAKER — Patti McLeod, MLA, Watson Lake**

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NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Darrell Pasloski</b>	Mountainview	<b>Premier</b> Minister responsible for Finance; Executive Council Office
<b>Hon. Elaine Taylor</b>	Whitehorse West	Deputy Premier Minister responsible for Tourism and Culture; Women's Directorate; French Language Services Directorate
<b>Hon. Brad Cathers</b>	Lake Laberge	Minister responsible for Justice; Yukon Development Corporation/ Yukon Energy Corporation
<b>Hon. Doug Graham</b>	Porter Creek North	Minister responsible for Education
<b>Hon. Scott Kent</b>	Riverdale North	Minister responsible for Energy, Mines and Resources; Highways and Public Works
<b>Hon. Currie Dixon</b>	Copperbelt North	Minister responsible for Community Services; Public Service Commission
<b>Hon. Wade Istchenko</b>	Kluane	Minister responsible for Environment
<b>Hon. Mike Nixon</b>	Porter Creek South	Minister responsible for Health and Social Services; Workers' Compensation Health and Safety Board
<b>Hon. Stacey Hassard</b>	Pelly-Nisutlin	Minister responsible for Economic Development; Yukon Housing Corporation; Yukon Liquor Corporation

## GOVERNMENT PRIVATE MEMBERS

### Yukon Party

<b>Darius Elias</b>	Government House Leader Vuntut Gwitchin
<b>Hon. David Laxton</b>	Porter Creek Centre
<b>Patti McLeod</b>	Watson Lake

## OPPOSITION MEMBERS

### New Democratic Party

<b>Elizabeth Hanson</b>	Leader of the Official Opposition Whitehorse Centre
<b>Jan Stick</b>	Official Opposition House Leader Riverdale South
<b>Kevin Barr</b>	Mount Lorne-Southern Lakes
<b>Lois Moorcroft</b>	Copperbelt South
<b>Jim Tredger</b>	Mayo-Tatchun
<b>Kate White</b>	Takhini-Kopper King

### Liberal Party

<b>Sandy Silver</b>	Leader of the Third Party Klondike
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## LEGISLATIVE STAFF

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**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, April 14, 2015 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Tributes.

## TRIBUTES

### In recognition of the Bridge Building Competition

**Hon. Mr. Graham:** I rise in the House today to pay tribute to the 22<sup>nd</sup> — although I understand from an engineer that it was the 23<sup>rd</sup> annual bridge building competition — which was held Saturday, April 11 at Porter Creek Secondary School.

I had the pleasure of attending the competition and was truly impressed by some of the bridges that were constructed. This bridge building competition is a partnership between Science Adventures at the Yukon Research Centre and the Association of Professional Engineers of Yukon. This annual competition introduces students to structural engineering principles. This popular hands-on event brings together students from grades 4 to 12 in friendly competition. It's also open to families and the general public to test their construction prowess. I was totally amazed at how many friends and family members attended this competition on the weekend. It was truly an exciting occasion.

The objective of the bridge building competition is to construct the strongest model bridge that will span a distance of 700 millimetres, using only wooden stir sticks, glue and dental floss. Although all the teams begin with the same materials and rules, they approach the challenge in many, many different ways. The creativity, collaboration, communication and critical thinking needed for successful bridge building matches the four skills areas focused on in Yukon schools' 21<sup>st</sup> century learning approach. The development of these four skills is crucial for the success of each learner. I extend my thanks to Science Adventures and the Association of Professional Engineers of Yukon for providing this engaging learning opportunity for Yukon students.

Those who might have felt daunted or unsure about their ability to apply engineering principles are presented with an accessible, fun activity. They learn the principles through trial and error. When a bridge comes crashing down, it is not a failure, but an adventure shared by all participants. I want to congratulate all the participants in the bridge building competition on their teamwork, their sense of fair play, hard work in creating beautiful, well-crafted — and in many cases extremely strong — bridges. More than 90 teams entered the

competition and I wish to congratulate the winners in each category.

In the grade 4 to 5 category, Theo Anderson and Thomas Gishler, from Holy Family Elementary School and Aurora Virtual School — they are here with us in the gallery today. They won the 4 to 5 category. Congratulations, boys.

In the grade 6 to 7 category, Rylan Stoker from Christ the King Elementary School. In the grade 8 to 12 category, his brother Aidan Stoker from Vanier Catholic Secondary School won the competition. I have to add that Aidan Stoker's grade 9 bridge had an extremely high strength score. The bridge weighed 277 grams and carried a load of 138 kilograms. That is 304 pounds, so it was truly an amazing feat. I should also note that Aidan is having a very good year. He is also representing the Yukon/Stikine in the Canada-wide science fair in Fredericton, New Brunswick, May 10 to 16. Best of luck, Aidan, and I hope you do really well there as well.

In the open category, we have today with us Victor John. Victor is a little shy and I am not sure he is going to stand up, but accompanying him is Steve Tapp. Victor and Steve are from the Elijah Smith Elementary School and Victor did an excellent job in winning the open category.

I encourage everyone in this House to visit the competition website to learn more about this year's entries and the special awards given to teams and participants who built the best-looking, lightest bridge or offered the best narratives to accompany their creations.

On a special note, I would like to also tell you about a group of four bridges that came down on Friday from Ross River. I mentioned them at the bridge building competition because these four bridges were constructed by students in Ross River under very trying circumstances.

As everyone in the Legislature knows, Ross River School was forced to close because of some structural difficulties and these students constructed their bridges in small — very small sometimes — homes where they're holding classes. They also never had the advantage of having an engineer visit them in Ross River prior to building their bridges. They were well-represented. They did an excellent job. In fact one bridge from Ross River that they felt would not last very long I think was one of the higher scoring bridges in their competition. I just would like to say a special thanks to Ross River and the school and the instructors there who did such a wonderful job producing those four bridges.

I would also be remiss if I didn't point out a couple of people who are absolutely integral to the operation of this process. We have Tim Green and Heather Dundas with us here today. Without Tim and Heather, this bridge building competition would not be the resounding success it has been. Thanks everyone for attending the House today. We really appreciate it and congratulations to all of you.

*Applause*

**Mr. Tredger:** It gives me great pleasure today to rise on behalf of the NDP Official Opposition and the Third Party to pay tribute to the annual Yukon bridge building contest. This contest is open to students in grades 4 to 12. There is also

an open class for families and the general public. This even is a direct partnership between Science Adventures of the Yukon Research Centre and the Association of Professional Engineers of the Yukon working together with the school community, teachers, parents, and especially the students.

I was unable to attend this year as I was in Mayo for the weekend, but over the years I have attended as an MLA, as a principal, as a teacher, as a parent and as an interested member of the public.

The bridge building contest is an important and looked-forward-to event for many students, their teachers, their parents and, in some cases, their grandparents, and the science community. The bridge building event is an example of how community involvement can give wings to learning. It is an example of education that works.

While this event might look straightforward, it takes a lot of planning and organization to make it run smoothly. I would like to do a shout-out to all those who gave their time to organize this successful event: the engineers and scientists for their inspiration, knowledge, enthusiasm, and especially time — for the time taken with each bridge builder and each student to discuss the merits of their projects, to discuss ways it can be improved and to discuss the successes of it.

I would also like to give a shout-out to the staff and teachers of our schools who recognize the value of events like these, who promote and encourage and provide time and resources to make it possible. I would especially like to recognize the parents and the grandparents of the families of the students who spend long hours with the students, developing and promoting the project.

The Yukon bridge building contest is a community coming together for our children. I'm especially pleased to note the support and reach out to our community schools.

We have many challenges facing our society — climate change; how do we accomplish more with less? We need young, enthusiastic citizens trained in scientific methods with a can-do attitude.

The keys to learning are engagement, presentations of real challenges, research, sharing and collecting of information, putting forth hypotheses, building and testing those hypotheses and bringing information learned to the next project. The bridge building contest is about sharing and working together — how the students share their ideas, refining them and planning next year's project and what changes they might make.

Again, I would like to thank the Association of Professional Engineers of Yukon. In their introduction to the contest on their webpage they said, "You will be introduced to basic engineering principles in a fun format and gain a better understanding of the impact that engineering has on your life. Thousands of wood stir sticks are just waiting to be glued, tied and destroyed!"

Real life, hands-on solutions — this is a wonderful opportunity for our community and businesses to engage our students in real challenges, building a way of thinking, learning how to meet challenges and perhaps inspiring future

scientists or setting students on career paths that engage them in the real world.

Thank you to Yukon College, the Association of Professional Engineers of Yukon, the Department of Education and all those who supported this annual event for being fabulous role models, for modelling and engaging our children in the future.

I would like to acknowledge the many parents and teachers here in the gallery today. Thank you for taking the time to come out.

### **In recognition of Ducks Unlimited Canada**

**Hon. Mr. Istchenko:** It is a pleasure for me to rise in this House today on behalf of all members to pay tribute to Ducks Unlimited Canada — in particular the efforts of its members in Yukon.

This worthy organization has been an ongoing partner in the conservation of Yukon's wetlands critical to waterfowl, biodiversity, wildlife and the environment. Ducks Unlimited's most recent conservation efforts involve the ongoing protection of Canada's boreal forest. Stretching from Alaska to Labrador, the boreal forest provides nesting grounds for more than 300 bird species. The boreal forest makes up almost 60 percent of Canada's land mass. Nearly the same portion is forested in the Yukon, with forested areas extending into the Subarctic.

Environment Yukon is working to ensure that Yukon's natural environment is maintained for the sustainable use and enjoyment for current and future generations. By working toward the continued conservation of habitat, we can help sustain summer migrants such as the threaded olive-sided flycatcher or the common nighthawk or some of our resident birds, such as the northern goshawk.

This includes working to acknowledge and better understand any deterioration in this area from the impact of climate change. Mr. Speaker, I would like to commend Ducks Unlimited for working with governments, birding organizations and others in spreading the awareness about boreal conservation.

I would also like to recognize their work in supporting the *North Yukon Regional Land Use Plan* by: conducting waterfowl surveys; promoting wetland classification and conservation; sitting on some of the technical working groups that developed the recommendations for initiatives that arise out of the final land agreements; and leading wetland traditional knowledge workshops.

The work of Ducks Unlimited complements the work undertaken by the Government of Yukon to maintain and enhance the quality of Yukon's natural environment for present and future generations.

Today, Mr. Speaker, we have in the gallery Jamie Kenyon. I had an opportunity to meet with him right after I became the minister. I was really impressed by the work he does with Ducks Unlimited, so please help me in welcoming him to the House today.

*Applause*

**Speaker:** Introduction of visitors.  
 Are there any returns or documents for tabling?  
 Are there any reports of committees?  
 Are there any petitions to be presented?  
 Are there any bills to be introduced?  
 Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to use the community development fund to support the Watson Lake Ski Club in replacing the T-bar lift cables, the groomer tiller bars and fuel tank.

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

THAT this House urges the Government of Yukon to use the community development fund to support the Vuntut Gwitchin First Nation in utilizing local knowledge to research, mark and clear traditional travel routes in north Yukon.

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

THAT this House urges the Government of Yukon to live up to its 2009 promises and set territory-wide targets for greenhouse gas emissions reductions.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to analyze the cost and feasibility of a smart grid with the capacity to transmit and redistribute multiple sources of renewable energy throughout the Yukon in order that the territory have a comprehensive options analysis for its renewable energy future.

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

THAT this House urges the Government of Yukon to listen to parents concerned about the safety of Yukon's schoolyards and repair the existing soccer fields.

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

## QUESTION PERIOD

### Question re: Seniors housing

**Ms. Hanson:** You know, the Yukon Party government boasts that its proposed \$330 million, 300-bed, long-term care institution will be the largest and most expensive capital works project in Yukon history. Building the biggest and most expensive should not be the goal. The Yukon NDP knows that responsible planning involves meeting the needs of Yukon seniors through the most effective and cost-efficient means. By working with citizens and medical professionals, we can find the most effective and affordable way to meet the needs of our seniors and elders. There are better options to support

the health and well-being of our aging population than building a seniors' institution that is based on questionable needs estimates, no public consultation and no cost-benefit analysis.

On what evidence did the government base its decision to build a 300-bed institution and what options were considered to determine that it was the most effective and efficient use of public health dollars?

**Hon. Mr. Nixon:** The simple answer is that Yukoners need this facility. Yukoners need this 150-bed long-term care facility. We have committed to Yukoners to providing those services to them.

We know that we have conducted two needs assessments and a business case for this facility, and we look forward to the vast array of services that we can provide for our seniors who are not able to stay in their homes any longer and who require that level of care that cannot be provided in their home or their community any longer. We are looking forward, on a move-forward basis, to the budgetary item in this spring budget to move forward with this long-term care facility.

**Ms. Hanson:** Mr. Speaker, who says an internal needs assessment is not public consultation? The Canadian Institute for Health Information data shows that long-term care facilities in Canada with 200 or more beds are proportionally more expensive to operate, and it is not just the \$300-million capital cost. The estimated operation and maintenance costs for a 300-bed institution will rob the continuing care budget of its ability to focus on home care and other supports to keep people out of institutional care. The minister says — and I quote: "By creating a larger facility, we can deliver services in an affordable and sustainable manner." But, Mr. Speaker, national data is clear: His 300-bed approach is actually more expensive. This Yukon Party approach has already wasted millions of health care dollars.

Why did the minister pursue a mega-complex when that approach has been shown to be more expensive?

**Hon. Mr. Nixon:** I would remind the member opposite, the Leader of the Official Opposition, that what we are proposing in this budget is, on a move-forward basis, a 150-bed continuing care facility in Whistle Bend. This government believes in planning for the future and planning for future needs of Yukoners and Yukon seniors. What we have allocated is land set aside for future expansion if and when there is a need or a desire to do that by a future government. That is a decision that we are not making today. That decision will be made in the future.

It is important that we provide this level of care to seniors so that they are able to live and die with dignity, whether it is in their communities through home care or, if their needs are greater, that we have facilities like this, as well as Copper Ridge Place and Macaulay Lodge. Macaulay Lodge has 96 beds and that is a great facility. It fits in with the community and we are looking for the same thing with 150 beds in Whistle Bend.

**Ms. Hanson:** The minister might want to pay attention to his own motions from his own government. There is an

Order Paper motion today from the government for a 300-bed continuing care facility.

In contrast, the Yukon Party government's push for a \$330-million institution as the magic solution for all seniors care, the Yukon NDP's vision for aging in place will provide seniors and elders with a continuum of care to choose — choices that are both more affordable and more effective.

The Canadian Nurses Association says that investing in home care can make a positive difference in a person's health status, relieve pressure on over-crowded care facilities, and lead to performance efficiencies in the health system.

A recent analysis performed by the Canadian Medical Association shows that the cost of one day in home care is nearly 60 percent less than a day spent in long-term care.

Will the minister shelve his expensive 300-bed proposal and invite Yukoners into a discussion about what care options offer the most effective and affordable model to help seniors age in place?

**Hon. Mr. Nixon:** I have to agree with the member opposite on the fact that we believe that keeping seniors in their homes as long as possible is the most viable option.

What the member opposite and the parties opposite fail to reflect is that, at a point in time in a person's life when they can no longer stay in their home or in their community, we need services for them. This Yukon Party government is standing up to the plate, unlike what the other two parties have done in the past, on a move-forward basis to provide these therapeutic services and therapeutic environments for seniors in a long-term care facility.

What we're looking at is advanced dementia care services, hospice, palliative care, sub-acute or activation unit, a mental health unit, bariatric care, as well as day programming. This government supports those programs for Yukon services, and, on a move-forward basis, we're very proud of this decision.

#### **Question re: Mine closure security**

**Mr. Tredger:** After only three years of operation, the Wolverine mine shut down. They only managed to be in full production for a little over a month. Their owners, Yukon Zinc Corporation, now owes the government just under \$3 million in outstanding mine site cleanup securities. Yukon Zinc also owes Yukon businesses \$4.3 million. These are just the direct costs.

Last year's budget alone allocated \$7.25 million to upgrade the highway to the mine road to help Yukon Zinc get their ore out. Does the minister think that the public money that his government invested in Wolverine mine paid off over its three-year lifespan?

**Hon. Mr. Kent:** On this side of the House, we believe in the importance of mining, not only to our economy, but also to the people who live here in the Yukon, the people who work at these mine sites, the people who work in the placer mines, and the people who work in the businesses that support this important industry to the territory.

As I've mentioned before, government officials have been meeting with the Yukon Zinc Corporation and are

closely monitoring the mine site to ensure there's no risk to the environment or people who work and live in the area. Last week, I believe it was, I spoke — along with the Member for Pelly-Nisutlin, the Minister of Economic Development — to the chief and some of the council members of Ross River. We've since offered to travel to Ross River, hold a public meeting with respect to developments at the mine, as well as take individuals from the community out to the mine site to show them first-hand.

I guess I have to take exception with one of the points the member opposite raised, though, with respect to upgrading the Campbell Highway. That's a public highway. That's as important to the people of Watson Lake and Faro and Ross River that he seems to forget.

**Mr. Tredger:** During the very short lifespan of Wolverine mine, less than one in four jobs at the mine went to Yukoners. Yukon Zinc Corporation has paid zero dollars in royalties. Yukon Zinc has left with millions in debt to the Yukon government and to local businesses, and millions more in public dollars invested in the Robert Campbell Highway to help the mine ship its ore out.

Does the minister really think that Yukoners got a fair deal out of Wolverine mine investments?

**Hon. Mr. Kent:** With respect to the Wolverine mine, Yukon Zinc hasn't left. They're on-site. They're taking care of care and maintenance. The mine right now is in temporary closure.

I thought the member opposite actually attended a technical briefing yesterday where this question was raised, but clearly he wasn't paying attention to the answer provided by officials at that technical briefing.

When it comes to investments in infrastructure, investments aren't only made in infrastructure for industrial purposes. We make investments in infrastructure for the travelling public and Yukoners who live outside of Whitehorse.

When it comes to the Campbell Highway, that also services people from Carmacks — which is in the member's riding — to Faro, Ross River and Watson Lake, as well as individuals who are coming off the Cantung mine that is at the top of the Nahanni Range Road. So again Mr. Speaker, these are important investments that we make in infrastructure. We are also investing in training so that Yukoners can take advantage of these Yukon opportunities. We have partnered with the federal government on the Centre for Northern Innovation in Mining in not only program dollars, but significant capital investments in facilities at the Whitehorse campus of Yukon College, as well as a mobile training trades trailer that has travelled not only to Dawson City, but is currently, I believe, in Ross River.

**Mr. Tredger:** The road improvements stopped just after the mine site turnoff.

While less than one in four of Wolverine employees were Yukon residents, millions are owed to Yukon government and Yukon businesses. Yukon government poured more millions into infrastructure for the mine, and what do they have to show for it? No royalties and a royal mess. The fact is that this

government has failed to ensure that Yukoners got a fair deal out of our own natural resources at Wolverine mine. If the minister disagrees, he can answer this simple question. Does the minister believe that Wolverine mine is an example of sustainable mining that benefits all Yukoners?

**Hon. Mr. Kent:** I have to question the member opposite's facts. The road improvements do not end at the Wolverine mine turnoff. They are not even at the Tuchtua camp, which is the turnoff to the Nahanni Range Road, so I would encourage the member — perhaps later on this summer — to take a drive around the Yukon and visit some of the communities outside of his riding and take a look at the incredible infrastructure improvements that this government has invested in. We have a \$60-million transportation budget that we are debating right now on the floor of this House. I am sure the member opposite will, of course, be voting against that when the time comes.

Again, when it comes to value for Yukoners, Mr. Speaker, we are investing not only in our infrastructure; we are investing in training; we are making regulatory improvements; we have terrific geology. Mining is an important industry to Yukoners. Members on this side of the House recognize that. Members on the other side of the House do not.

#### **Question re: Mineral staking on settlement land**

**Mr. Silver:** In 2013, as the result of another legal battle with Yukon First Nation governments, this government was under a court order to work with the Ross River Dena Council on what land would be available for staking in their traditional territory. I asked the minister in November 2013 if he would be forced into placing a staking moratorium in Ross River traditional territory due to this court order. We didn't hear an answer in the House. However, only a few days after the legislative session concluded, we found out that the government was unable to reach an agreement with Ross River.

Without a deal in place, the entire 63,000-square kilometre area was taken off the table for staking. Last fall the minister assured Yukoners that a deal would be done by the latest deadline of January 2015. Instead, since we last met, the government has extended the amount of time that this land will be off limits for another two years.

Why did the minister break his promise to have the land back in circulation by January 2015?

**Hon. Mr. Kent:** I thank the member opposite for the question. With respect to what the member is speaking about, there were two declarations that came out of that Yukon Court of Appeal decision. One was, of course, with respect to class 1 mining and notification. The other is what the member opposite is talking about — determining which land will be made available to staking in the Ross River area.

My understanding — again, this is being led by Executive Council Office, so perhaps the Premier will have more information for the member opposite — is that discussions did carry on up until the late stages before the January 31, 2015 deadline, but we were unable to reach a deal. At that point,

caucus and Cabinet colleagues, as well as the Premier, decided that it would be beneficial to extend that staking moratorium a further two years, so we could come up with a deal that is fair to Yukoners and fair to citizens of the Ross River Dena Council.

**Mr. Silver:** This is what the government had to say last year — and I quote: "...the staking ban is due to come off at the end of January ..." Instead, because it was unable to reach an agreement, the government has, once again, been forced to extend the staking ban for another two years. By that time, the Yukon Party will have 63,000 square kilometres of land off-limits to staking for a period of more than three years.

The minister was very certain when we were in the House last fall. He said that a deal would be in place before we met again, and it is not. Instead, the government is forced to keep 13 percent of the Yukon off-limits for staking.

The Ross River Dena Council is in full support of this moratorium, of course, because the government is not addressing their concerns. So my question to the minister is: Why hasn't the government been able to come to an agreement with the Ross River Dena Council?

**Hon. Mr. Kent:** Negotiations are always between at least two parties and, in this case, that certainly holds true. When it comes to the land and the land quantum that the Ross River Dena Council wanted to keep from being open to mineral staking, we couldn't come to an agreement with them on that in the time allotted, and that's why we extended the time by two years.

I do find it interesting, though, that the member opposite seems so outraged and appalled by the Ross River area but, at the same time, he would like to remove the entire Peel River watershed from any and all industrial development. It's quite something to get lectured by the Member for Klondike with respect to the Ross River area and government-to-government consultations with Ross River. Again, he's supporting mining there but, when it comes to the Peel River watershed, would prefer to see that entire area withdrawn from any industrial development.

**Mr. Silver:** I don't seem to be enraged here and, with the Yukon Party government, we have 100-percent protection on the Peel right now for at least the next 20 years.

Mr. Speaker, almost 13 percent of the Yukon is currently off-limit to staking because of this government's frayed relationships with the Ross River Dena Council. The staking ban has been extended several times now, and it stretches until January 2017. Instead of blaming mineral prices for the slump in our mining sector, maybe the government should pay more attention to resolving issues between itself and First Nation governments.

Last fall, the minister said — and I quote: "... the staking ban is due to come off in January of this year and we look forward to that very mineral-rich area being opened up to staking and additional resource development as early as this next exploration season."

Does the government accept responsibility for the negative impact that this massive staking ban is having on the

mining industry? Mr. Speaker, I would ask the minister to stick to this particular mess —

**Speaker:** Order please. The member's time has elapsed.

Minister of Energy, Mines and Resources, please.

**Hon. Mr. Kent:** Mr. Speaker, of course, we're supportive of a strong and robust mining sector. I realize that we need to have those types of initial discoveries so that we can have the mines.

I met last Friday with the Yukon Prospectors' Association to talk about some of the issues of concern for them. I'm happy to report that in this budget we've continued with an enhanced Yukon mineral exploration program of \$1.4 million. Surely the Member for Klondike will not be supporting that when it comes time to vote on the budget.

Another initiative that we have undertaken this year is to provide double credit for assessment work, which will also help some of the smaller prospectors.

Very much like farming, you need to plant the seeds in the spring to get the crop in the fall and we recognize that the prospectors in this territory play that important role of planting the seeds so that we can have those big mines like Casino, Alexco, the Coffee project and Minto come forward in the end.

Mr. Speaker, we're proud of our support for the mining industry, when it comes to free entry and keeping royalties where they are, lowering taxes — all things that the NDP Party doesn't support, as well as their colleague the Liberal leader.

#### **Question re: Yukon nominee program**

**Ms. White:** Yesterday, the minister painted a rosy picture of opportunities for nominee program workers to report abuse and to find new employment if they are unhappy or being mistreated where they work. The minister wanted to debate the facts so I would like to share this one.

The nominee application handbook has a paragraph in bold at the bottom of the last page about what happens if a nominee program worker leaves their job during the nomination process. This is a quote from that paragraph: "If you lose or quit your job during the nomination process, you will lose your nomination and your Permanent Residency application will be canceled."

Mr. Speaker, what part of this paragraph is designed to make nominee workers feel safe about blowing whistles on an abusive employer?

**Hon. Mr. Graham:** Mr. Speaker, the part of the handbook that the member opposite doesn't state is the part that says that we will assist you to look for a new employer. That's what is currently being done with one of the people who the member opposite is talking about. The other person already had gained their permanent residence status, so it's not a difficulty with them.

As I said yesterday, all of the remedies to an allegation of unfair labour practices that are available to you and me as citizens are also available to nominee people as well, and we want to make sure that that is understood. That's why we've

investigated the case — the Department of Education has investigated the case — and made several recommendations to the nominee as well as assisting them to find another employer.

**Ms. White:** The problems run a lot deeper than the cases that the minister is referring to. The clause that he is referencing isn't highlighted like that warning I just read.

Yesterday, the minister suggested when Yukon nominee workers have problems with their employer, his government has ways of dealing with it. Nominee program workers are only speaking out once their permanent residency is approved or if they have left the country. We see this every few months. Even if they feel that they are right, these workers just don't want to restart the nomination process and they are jeopardizing their permanent residency application. What the minister hasn't said is that there are 90 days to start and finish that paperwork. This is a clear sign that the current system just isn't working and that the nominee program workers are in an unfairly vulnerable position.

Has the minister noticed that nominee program workers are mostly only speaking out once they have left the country or have obtained their permanent residency?

**Hon. Mr. Graham:** I don't exactly know what the question was there. The member opposite seems to believe that the only people who are speaking out are people who have already gained their resident status or left the territory.

Mr. Speaker, that is simply not accurate; not true. The department deals with complaints and issues on a monthly basis, and the vast majority of these issues are sorted out between the nominee, the employer and the department as quickly as possible. There are safeguards in place, and I will stand by that. The member opposite does not seem to realize that we have certain rules that we have to work under as well that are set by the federal government, by the immigration department. Those rules are not ours to change.

Having said that, I hope that I have answered the kind of question she asked.

**Ms. White:** We have nearly answered that question. If the mechanisms for the Yukon nominee program workers to speak out against abusive employers are so strong, then I would like the minister to show us some of those numbers. We know that the minister doesn't really know how many workers there are in the territory; we found that out during the last budget debate. We know that they really don't know where they work, but maybe now that he has just said so, he knows more about the enforcement of the nominee program rules. The nominee handbook itself tells workers experiencing employment issues to contact Advanced Education. So the minister hopefully can show us some of those numbers.

How many nominee worker complaints were made last year and how many sanctions were handed down?

**Hon. Mr. Graham:** I don't have those kinds of numbers available to me immediately. I will endeavour to obtain those numbers and transmit them to the member opposite when I receive them. But the member opposite has to understand the restrictions under which we operate. She doesn't understand them; that is obvious from the questions



that she is asking. However, I will make every effort to ensure that I have the answers that she has just asked for in the very near future.

**Question re: Probation Services**

**Ms. Moorcroft:** On March 5 the Auditor General of Canada provided his report on the status of corrections in Yukon to this Legislative Assembly. The report found many shortfalls in Yukon's corrections system and concluded that the Department of Justice failed to meet some of its key responsibilities set out in the *Corrections Act, 2009*. The Auditor General found that the department didn't adequately manage many aspects of community supervision. Specifically, it highlighted a number of deficiencies in the support, training and resources provided to Yukon's probation officers. Probation officers are the front line when it comes to managing offenders in Yukon's towns and communities.

How can this government claim to take the safety and security of Yukon citizens and communities seriously, but not provide adequate resources to the probation officers who they task with keeping that safety?

**Hon. Mr. Cathers:** First of all, in answering the member's question, I would like to again note that the reviews by the Auditor General are always a useful tool in helping identify where there is room for improvement. As the member may know from statements made by staff of my department in responding to the report, some of the problems identified by the Auditor General were also identified through internal review processes and steps have been taken to address them. Those additional matters that were identified by the Auditor General are being worked on by staff right now. I can assure the member that the staff at the Department of Justice treat this matter seriously and will take steps to improve it. They can be confident that they will have my support as minister in taking the steps to further improve the programming services that we are providing, both in the Whitehorse Correctional Centre and in after-care.

**Ms. Moorcroft:** Mr. Speaker, the Auditor General's report made it clear that this government does not adequately support the front-line staff who make Yukon's communities safer and provide the much-needed support to rehabilitate offenders. This government talks a big game about respecting corrections officials, but the report found that out of the seven probation officers who worked in rural Yukon, four did not have reliable physical space to meet with offenders. This harms the probation officers' ability to conduct their work safely.

How can this government claim to have the best interests of corrections officials at heart when they don't even provide the probation officers with the reliable physical space in the communities that they need to do their job?

**Hon. Mr. Cathers:** Again, I would note, as I did in my first response to the member, that we appreciate the review by the Auditor General. It is a useful tool to help us identify room for further improvement. I would remind the member of the fact that some of the areas that she is referring to — where the programming was not meeting the standards set out — were

areas where we had recently raised the bar as a result of work done through the correctional reform process. So, in setting out that new standard, there clearly were issues at that point in time that were identified in the case files reviewed by the Auditor General.

Again, as I noted to the member, some of these issues had already been identified by staff, due to internal review processes, and actions already taken to address them. The member can be confident that department staff are working on those additional matters and taking steps to address them, and be confident that they will have my full support, as Minister of Justice, in taking those necessary steps to continue to raise the bar in the standard of rehabilitative programming that we are providing to offenders.

Again, it should be noted that the Yukon has actually been a leader in some of the steps that have been taken in the correctional reform processes through initiatives such as the Community Wellness Court and the domestic violence treatment option. We will continue to look for ways that we can continue to do better in this area.

**Ms. Moorcroft:** Mr. Speaker, corrections in the Yukon isn't just limited to the Whitehorse Correctional Centre. In 2013-14, there were almost twice as many offenders on community supervision than there were incarcerated. A government that really wants to focus on community safety would put some emphasis on supporting its probation officers, yet the government's abysmal lack of support for probation officers goes to show that their commitment to community safety is just another empty promise.

The Auditor General found that the probation officers themselves often felt that they had not been trained thoroughly enough to adequately carry out their duties. The minister said that he and his officials appreciate knowing of the problems. My question is when this government will live up to their rhetoric and provide the resources that probation officers need so that they can keep Yukon safe.

**Hon. Mr. Cathers:** Quite frankly, Mr. Speaker, I think that the NDP Justice critic does our staff a disservice in her characterization of the work and services that are provided.

As I noted to the member in my previous responses, the Auditor General's audit is a useful tool to help us identify room for further improvement. A number of the deficiencies identified in the report had already been identified by the department through internal review processes and steps have been taken to correct them. Those additional matters identified by the Auditor General — staff are taking the steps to address them and raise the bar in terms of providing the programming services. As I stated to the member previously, they will have my full support in taking the necessary steps to further improve the already-high-quality services provided to offenders and in after-care.

The focus, it should be noted, is about rehabilitation, and the reason that these programs are provided is an attempt to reduce recidivism and to help people who have committed offences to get their lives back on track.

I should also point out to the member that she is very obviously failing to note that the Auditor General effectively gave the department a gold star after the management of the construction of the Whitehorse Correctional Centre and was complimentary in the language of the report about the good work done by the Department of Justice and, of course, the Department of Highways and Public Works.

**Speaker:** The time for Question Period has now elapsed.

### Notice of opposition private members' business

**Ms. Stick:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, April 15, 2015. They are Motion No. 912, standing in the name of the Member for Copperbelt South, and Motion No. 911, standing in the name of the Member for Whitehorse Centre.

**Mr. Silver:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, April 15, 2015. It is Motion No. 893, standing in the name of the Member for Klondike.

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

## ORDERS OF THE DAY

**Mr. Elias:** 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 (Ms. McLeod):** I will now call Committee of the Whole to order. The matter before the committee is Bill No. 88, entitled *Pharmacy and Drug Act*, continuing consideration of clause 21.

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. 88: *Pharmacy and Drug Act* — continued

**Chair:** The matter before the Committee is Bill No. 88, entitled *Pharmacy and Drug Act*, continuing consideration of clause 21.

*On Clause 21 — continued*

**Chair:** Mr. Dixon, you have the floor.

**Hon. Mr. Dixon:** Just to reiterate, section 21 deals with fees and expenses. I just want to take a moment to note again today that I'm joined by Charlene Beauchemin from Community Services and Brian Kitchen from Health and Social Services. We'll happily continue to walk through these clauses, one by one, as we conclude with this portion of the bill before us, Bill No. 88, entitled *Pharmacy and Drug Act*.

*Clause 21 agreed to*

**Ms. Stick:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all remaining clauses and the title of Bill No. 88, entitled *Pharmacy and Drug Act*, read and agreed to.

### Unanimous consent re deeming all remaining clauses of Bill No. 88 read and agreed to

**Chair:** Ms. Stick has, pursuant to standing order 14.3, requested the unanimous consent of Committee of the Whole to deem all remaining clauses and the title of Bill No. 88, entitled *Pharmacy and Drug Act*, read and agreed to.

Is there unanimous consent?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

**Chair:** Unanimous consent has not been granted.

*On Clause 22*

*Clause 22 agreed to*

*On Clause 23*

**Hon. Mr. Dixon:** Madam Chair, section 23 in this part relates to the two definitions included specifically under this part, as complaints may be made against a licensee or an owner in spite of relinquishing their professional status and commercial obligations. You see a definition for both licensee and proprietor. I think it's important to note the difference between the two.

Managers of a pharmacy are licensees, while the owners of a pharmacy are the proprietors. Both the licensee and the proprietor have clear and distinct obligations under the act. One of the most fundamental principles of this legislation is to have a managing pharmacist responsible for overseeing the supervision and management of a pharmacy and a licensed rural permit holder responsible for overseeing a rural dispensary. These individuals hold the licence of the pharmacy and have a designated level of autonomy.

Owners must not direct or influence — or attempt to influence — the management or operation of a licensed pharmacy.

This relates in general to the licensing provisions of the *Pharmacy and Drug Act* as well. The act before us requires that pharmacies and rural dispensaries operating in the Yukon be licensed. A person cannot provide pharmacy services except from a licensed pharmacy or licensed dispensary in accordance with this act and regulations supporting pharmacy operations, or in accordance with the services to be provided under the *Health Professions Act* and pharmacy regulation, and in accordance with any limits or conditions imposed on the licence.

Categories of licences will be established in regulation and will set out what services may be performed under the authority of each category, along with the limits, conditions or requirements that apply. A suspended licence cannot provide a pharmacy service.

Licensing decisions or conditions can be appealed to the Supreme Court. This is consistent with the appeal process under the *Health Professions Act*. Yukon is a small jurisdiction and does not have the resources readily available to establish additional appeal bodies. The regulations will establish licensing categories that will address community pharmacies and rural dispensaries. Additional categories of pharmacies can be regulated if the need arises. I think that is some helpful additional information about section 23, which deals with the two definitions of a “licensee” and a “proprietor” relative to this part — part 3 — of the act.

*Clause 23 agreed to*

*On Clause 24*

**Hon. Mr. Dixon:** To provide some additional context to this section, section 24(1) reads that: “The registrar may appoint one or more inspectors for the purposes of this Act and the regulations to assist and work under the direction of the registrar.”

To provide some comment on this — as the pool of pharmacy owners in Yukon is quite limited and the inspection of pharmacies and complaints concerning pharmacies requires a certain expertise, this provision allows the registrar to appoint an inspector from another jurisdiction if needed. If a complaint or follow-up inspection can be managed from the registrar’s office, this provision allows the registrar to act in this capacity.

This is important, Madam Chair, because we have discussed previously the role that inspectors would have under the act and the fact that it is likely that we would lean on other jurisdictions — in particular, the Alberta College of Pharmacists — for some assistance in providing that level of expertise in an inspection scenario. As I have indicated previously, the inspectors will play an important role in providing certainty for both pharmacies and pharmacists as to what needs to be completed through the provisions of their licence.

I think that is some helpful background information, as the inspecting role is one that came up numerous times throughout the previous discussion, both today and yesterday.

*Clause 24 agreed to*

*On Clause 25*

**Hon. Mr. Dixon:** This particular section, with regard to the discipline committee, is important. I know there were questions yesterday that were, to a certain degree, unanswered. I wanted to take this opportunity to fill in some of the blanks that I left yesterday with regard to the role of the discipline committee vis-à-vis the role of the advisory committee as well.

So, unlike the pharmacy advisory committee, the discipline committee is not a standing committee. Should a citation be issued for a discipline hearing, the pharmacy advisory committee, at the request of the registrar, will review

the complaint and make recommendations concerning the makeup of the discipline committee for each specific case, which the minister can take into consideration before appointing.

I should note that the pharmacy advisory committee, which is proposed to be created under the new pharmacist regulation, is given certain functions under the *Pharmacy and Drug Act*. Those functions are purely advisory, and the advisory committee will not itself make any decisions or direct how anything is done under the act.

This kind of advisory role is commonly given to committees in a number of areas, including health professions regulation. In particular, under the *Health Professions Act*, there are already advisory committees for physiotherapists and registered psychiatric nurses.

The discipline committees that are provided for in section 25 of the act, in contrast, do have the power to make decisions, and those decisions have direct impacts on the rights of individuals. For example, a discipline committee can decide that a licensee must carry on their business in a particular way or can cancel their licence altogether.

Again, this is a familiar concept that can be seen in the *Health Professions Act* and other professional licensing legislation. Just as the regulations under that act provide details about who can be members of a discipline committee for a particular profession, this new act provides regulations to do that in respect of these discipline committees.

Whether the pharmacy advisory committee or a discipline committee is considered arm’s length from government depends on what that term is taken to mean. The advisory committee acts only on request by the government, and its role is again purely one of advice-giving, so in those senses, perhaps it’s not arm’s length in the strictest sense. A discipline committee is more clearly independent of government. Because it is an adjudicative body, it has to comply with the common law requirements of procedural fairness and natural justice. This ensures that there can be no improper influence by the government or indeed anyone else on its decisions and its actions.

Also, relevant to the member’s question from yesterday is the new act’s overall approach to the regulation of pharmacies, in that pharmacies and rural dispensaries will be regulated by government. So it’s the government that appoints the members of these committees, the government that provides the regulatory apparatus of the registrar and so on, and the government, through this legislation, that sets out the general operation framework.

That context, which can be contrasted to the case of a self-regulated profession, such as lawyers, may help members understand why these different communities are designed as they are. As a matter of interest, registered nurses are the only self-regulating health profession in Yukon.

As I indicated yesterday and earlier, obviously the discipline committee is anticipated to rise on an ad hoc basis and respond to the needs of the registrar, based on the advice of the advisory committee, and we anticipate that may occur from time to time. Obviously the makeup of the discipline

committee will be a matter of interest and it will be determined based on the case at hand. Obviously it can't be a standing committee, because members who are on the committee may be involved in some of the proceedings that are before the discipline committee, so the discipline committee necessarily must be ad hoc so that it can be ensured that there will be no conflict of interest between potential members and a case at hand before the discipline committee.

I trust that explanation under section 25(3) explains not only a little more of the context but provides some additional information pursuant to questions that were asked yesterday about this matter in general debate.

*Clause 25 agreed to*

*On Clause 26*

**Hon. Mr. Dixon:** Section 26 relates to the records for inspection. I should note that other jurisdictions prescribe different time limits for those records that are archived and those that are active and in current use in the pharmacy. Yukon will take this into consideration in regulation development. When this act says that any person who is a proprietor or a licensee must make the records prescribed by regulation available to an inspector without delay for the purpose of an inspection under this act, it means that much of that will be set out in regulation with regard to the detail. Obviously it is expected that proprietors or licensees provide information forthwith to inspectors for the purposes of an inspection, but that will be dealt with in further detail in the regulations.

*Clause 26 agreed to*

*On Clause 27*

**Hon. Mr. Dixon:** This section deals with the powers and duties of inspectors. As I've indicated previously, this is an important part of the act because it deals with what inspectors actually do on the ground and what they're empowered to do under this legislation.

Some jurisdictions delineate and establish criteria in regulation for different types of inspections, such as a pre-opening of a new facility, random operational inspections and complaint-driven inspections. Depending on the type of pharmacy and the type of inspection, out-of-territory expertise may be required to complete inspections. Additional policy work will be undertaken to address this issue.

Further to that, I should note that, in section 27(2), it references subsections 16(2) to 16(4) and sections 17 and 18 of the *Health Professions Act*. Subsections 16(2) to 16(4) and sections 17 and 18 of the *Health Professions Act* set down the powers and duties of inspectors, the right of the registrar to apply for search and seizure orders from the Supreme Court and specific details concerning the detention of things seized.

Further to that in section 27(3), there is reference to — “In addition to the powers that an inspector may exercise under subsection 16(2) of the *Health Professions Act*...”. I should note that in addition to the inspector's power to utilize the equipment and technology within a facility to access, review and copy any record or data, an inspector may do the following — and it's listed there.

Those pieces are outlined in 3(a) and 3(b) — (a) being that they can “inspect and take samples of any drug or other substance”, and (b) being that “on giving a receipt, remove drugs or other substances for the purpose of examining them or performing tests on them.”

As you can imagine, this allows inspectors to enter a premise and test drugs. Obviously, this kind of work is fairly technical and will require a certain degree of expertise. As I have noted previously, it is likely that we will have to draw on our colleagues to the south for this type of expertise. As I have indicated previously, it is most likely that we will lean on the Alberta College of Pharmacists to do this. It is likely that we would contract with them to do this kind of work of inspections. I do anticipate that over time we may be able to build additional capacity in-house in Yukon government, but for the foreseeable future, I think it is reasonable to continue to deal with Outside organizations. I know that the Pharmacists Association, in their meetings with me and previous ministers, have raised a concern that they want to ensure that those conducting inspections and those doing this kind of work do have the type of expertise and capacity necessary to do this properly. I think they will be satisfied in hearing that we will most likely be working with the Alberta College of Pharmacists to do this work.

Under section 27(4), which reads: “An inspector who removes drugs or substances under paragraph (3)(b) must if possible, return the drugs or substances within a reasonable time after they have served the purpose for which they were taken”, I want to note that originally records were included in this provision. However, as per consultation feedback from the Pharmacists Association and pharmacists in general, they have been removed. Inspectors will make copies of the records so that the original can be retained at the pharmacy or rural dispensary as stipulated in other legislation for auditing and reimbursement purposes. This simply relates to the nature of this particular type of evidence and where the originals rest. This will empower inspectors to take copies as opposed to the originals.

Finally, section 27(5) reads: “Any person who is a licensee or a proprietor of a licensed pharmacy or licensed rural dispensary, or an employee or agent of a licensee or proprietor, must cooperate with an inspection.” I think that section is relatively straightforward and self-explanatory. Obviously, we expect that proprietors and licensees will comply with the regulations that will be developed and that, in the event that an inspection takes place by inspectors contemplated under this act, the proprietor or licensee will cooperate to the full extent that they can with inspectors. I don't believe that this will be a problem. I think that the pharmacists are certainly willing and interested to have inspectors present. But in the event that we have something that is perhaps untoward or unfortunate, we do expect full compliance and cooperation of the licensee and the proprietor in these types of investigations.

I think that provides some helpful additional information about section 27 — all five subsections of it. I am happy to

answer further questions if there are any and provide additional information if needed.

*Clause 27 agreed to*

*On Clause 28*

**Ms. Stick:** My question was a simple one. Will there be public access to the inspector's reports and findings, including those made by a complainant?

**Hon. Mr. Dixon:** I believe that they will not be available because, if there is a finding of something untoward, it will be passed on further for the registrar to deal with in terms of disciplinary measures. I understand that once certain disciplinary measures are taken in the discipline process, they will become public through that means, but the initial report won't be made public vis-à-vis posting on the Internet or anything like that. It will be an internal document for the registrar to determine whether or not further action needs to be taken.

*Clause 28 agreed to*

*On Clause 29*

**Ms. Stick:** I would like an explanation, or just a clarification, of 29(2), as I understand that this means that the registrar can investigate, even if a formal complaint has not been made but is aware of something and can do that.

**Hon. Mr. Dixon:** With regard to section 29(2), the member is correct. That is what the meaning of that section is. The registrar may, on the registrar's own motion, investigate a licensee regarding conduct that may constitute misconduct. Therefore, of course, a complaint is not a necessary precondition of investigation. The registrar may take action of their own volition.

I wanted to also note that further in this section, in section 29(3), it reads: "Sections 21 to 30 of the *Health Professions Act* apply for the purpose of dealing with a complaint made to the registrar under subsection (1) or the investigation of a matter by the registrar under subsection (2) except that..." Then there is (a) and (b).

To explain this, I should note that to ensure there is consistency, the complaint and investigation process under this act will be as set out under the *Health Professions Act*, which will regulate pharmacists and rural permit holders. Section 21 to 30 of the *Health Professions Act* set out the specific parameters concerning investigations and actions by the registrar, including the following: the duty to investigate and collect relevant information from the registrant who is the subject of the investigation; to determination of action or no action; action to resolve the dispute, reprimand, or remedial action; issuance of a citation for a disciplinary hearing; extraordinary action to protect the public; and reporting requirements.

Subsections 23(1) and 26(11) of the *Health Professions Act* allow the registrar or the discipline committee to take immediate action for the protection of the public, even if it is during an investigation or pending a discipline committee hearing. Action can include setting limits or conditions on the registrant's practice of pharmacy, or interim suspension of the registration, pending a final decision by the discipline committee.

Further, Madam Chair, as I indicated, section 29(3) lays out some brief exceptions under (a) and (b) for members to consider. Further, under section 29(4), the bill reads: "The registrar must forward to the person appointed as the registrar for the pharmacists profession under section 8 of the *Health Professions Act* any information obtained by the registrar respecting conduct of a licensee that may constitute grounds for an investigation under subsection 20(2) of that Act."

To explain this a little further, this allows for sharing of information between registrars where the content of a complaint may result in matters being determined under the *Health Professions Act*. This enables the public to make a complaint in one location and ensures that internal coordination can be addressed and dealt with according to the nature of the complaint and the act, or acts, it may fall under.

Further to that, Madam Chair, in section 29(5), it reads: "The registrar must forward to the Yukon Medical Council established under the *Medical Profession Act* any information obtained by the registrar respecting conduct of a licensee that may constitute grounds for an investigation under section 23 of that Act ..." — that act being the *Medical Profession Act* — "... or an inquiry under section 24 of that Act."

So to provide some explanation of that subsection, as members will, I'm sure, anticipate, it relates to the relationship of a rural permit holder who is a physician and, therefore, falls under the parameters of the Yukon Medical Council. Upon discussion with the Yukon Medical Council and review of the practices in other jurisdictions that allow physicians to dispense, it was determined that, since rural permit holders are, first and foremost, physicians, any information concerning their conduct would be submitted and reviewed first by the council. Should the council determine that the information pertaining to, or actions of, the rural permit holder or rural dispensary does not contravene the *Medical Profession Act*, the information can still be reviewed under the *Health Professions Act*, pharmacist regulation and the *Pharmacy and Drug Act*.

A reciprocal provision is included in sections 49(2) and 49(3) as an amendment to the *Medical Profession Act* concerning the exchange of any information from the Yukon Medical Council to the registrar under the *Pharmacy and Drug Act* and the pharmacist regulation that may constitute misconduct under those acts.

So, Madam Chair, you can see that there is a consideration under section 29 that allows for the overlapping authorities of the various discipline measures, under both the *Health Professions Act* and the Yukon Medical Council. It's anticipated that, in the event that a complaint or an inspection is taken on a rural permit holder as a physician, there is allowance for review under the Yukon Medical Council's terms, first and foremost, and then, if it's determined that there is no contravention of that process, it can be considered whether or not there's a contravention under this act.

So subsection (5) allows for the precedence of the Yukon Medical Council in the instance that the rural permit holder is a physician, which, of course, is always.

I hope that provides some context as to what section 29 means and how it works, not only in terms of its own function, but its function with other acts, such as the *Health Professions Act* and the role of the Yukon Medical Council, in regulating physicians in the Yukon.

*Clause 29 agreed to*

*On Clause 30*

**Ms. Stick:** Looking at 30(1)(b), it speaks to providing information to the public and in the next paragraph it also talks about published notices of cancellation or expiry. I'm just wondering how these public notices would be managed.

**Hon. Mr. Dixon:** I will try my best to answer under this section, but also would note that, further on in section 35, there is more discussion of this with regard to the function of the discipline committee.

I would say that, first of all, the mandate of the registrar's office is the regulation of professionals for the protection of the public. As such, the provisions set down in section 30(1) contemplate this for the Yukon and other jurisdictions in Canada by requiring mandatory reporting to other key bodies responsible for the regulation of health care providers, the provision of health care and the protection of the public itself.

Madam Chair, you will note in section 30(1)(a) and (b) that there are requirements to give notice to those bodies. In the case of more minor — and I say this relatively; minor may not be the right word — but in the case of more minor incidences there is a possibility that we would simply post this on a website or make it available publicly through the registrar's office, but later on when we deal with the disciplinary committee and the requirements of the discipline committee to make various actions public, we'll explain that in section 35.

Under section 30(2), "If a limit, condition or suspension referred to in subsection (1) is cancelled or expires, the registrar must notify the persons or bodies referred to in paragraph (1)(a) and publish a notice of the cancellation or expiry in the manner that the registrar considers appropriate to inform the public." Similarly, the registrar must notify the key bodies and the public if there is a change or a termination of the limit, condition or suspension.

Again, I would anticipate that to be — obviously it's what the registrar considers appropriate, but my understanding is that the most common way to do that would be by posting it on-line on the registrar's website. If it's a more severe or more — I don't know what the word is — a more serious matter, the registrar may determine to do that through publishing it in the newspaper or some other sort of public notice.

The intent there is reflected in section 30(2) and is that the registrar considers appropriate to inform the public, so we want to get the message out to the public — well, sorry, this act contemplates getting the message out to the public and that would be up to the registrar to determine how best to do that, but for the reasons I've explained, those are the tools that they typically employ for that.

*Clause 30 agreed to*

*On Clause 31*

**Hon. Mr. Dixon:** To provide some additional colour here, section 31(1) reads that: "In addition to the orders that a discipline committee may make under section 27 of the *Health Professions Act*, a discipline committee may, by order, do one or more of the following..." Then there is a list of lettered sections. I should note that under section 27(1) of the *Health Professions Act*, upon completion of a hearing, the discipline committee may: dismiss the case; issue a reprimand; impose limits or conditions on the practice; suspend the registration; fine the respondent; or assign costs of the hearing. The discipline committee must provide reasons for the decisions in writing to the registrar and to the respondent.

Further to that, under 31(1)(h), which reads: "order that a licensee pay the costs or part of the costs of the investigation into their conduct." To provide some comment on that, ordering the payment of the costs or part of the costs is an effective tool that is commonly used in many jurisdictions. Not only is it a deterrent as a penalty, it also serves as an incentive to cooperate with the inspector and the registrar, and expedite the hearing process to keep costs at a minimum. Costs for a disciplinary hearing are significant and estimating or budgeting for these expenditures is not feasible due to the intrinsic nature of each case.

Further to my comments earlier a few sections ago about the expectation that a licensee or proprietor cooperate the best that they can with an inspector, this section provides some additional teeth to really encourage, at threat of penalty, the participation of the licensee or proprietor with an investigation by an inspector.

*Clause 31 agreed to*

*On Clause 32*

**Ms. Hanson:** I have a question for the minister with respect to the provisions of section 32(2). In that section it says that: "The registrar may, on the registrar's own motion, investigate a proprietor regarding conduct that may constitute misconduct." When we look to the definition of misconduct, it means an act or omission that — among other things, talks about contravenes — results in the provision of pharmacy services by or with a person who is contravening the act or the regulations — yada, yada, yada. Then we get to (v), which is issues with respect to: "any act or regulation of Yukon or Canada relating to the compounding, prescribing, dispensing, manufacturing, sale, supply or distribution of drugs, devices or natural health products."

Yesterday when I asked the minister to outline — because when the question was raised about the qualifications of the registrar vis-à-vis the provisions of this legislation and the need to have expert knowledge of the matters at hand — I am wondering, if the registrar does not have that expert knowledge, on what basis is the minister satisfied that the registrar will in fact be able to ascertain what in fact is a misconduct under any of the outlined sections — outlined provisions — of the definition of misconduct as it pertains to this section of the act, section 32 of the legislation?

**Hon. Mr. Dixon:** As members would note, this section is very similar to the one we just dealt with a few sections ago with regard to the licensee.

Of course, in 32(2) it notes that the registrar may, on the registrar's own motion, investigate a proprietor regarding conduct that may constitute misconduct. That simply implies that the registrar may initiate an inspection. It doesn't necessarily mean that they would be the ones conducting the inspection or the investigation.

It's contemplated, as I said, that if the registrar determines that there is a need for an investigation of a proprietor, this section allows them to initiate one absent a complaint. A complaint may be the impetus for an investigation to occur, but this section simply allows the registrar to initiate an investigation absent a complaint. It's not necessarily contemplated that the registrar herself or himself would conduct the investigation. Rather it's likely that we would employ through contract additional expertise or capacity from outside the territory to assist with that.

I should also note that in the following section — in section 32(3) — it references, "Sections 21 to 26 and 28 to 30 of the *Health Professions Act* apply for the purposes of dealing with a complaint made to the registrar under subsection (1) or an investigation of a matter by the registrar under subsection (2) except that" — and a number of exceptions. To explain that, a complaint or matter for an owner is dealt with in the same way for an owner — or a proprietor I think is the term that we use — in the same way that is for the licensee. The application of the sections of the *Health Professions Act* is the same for the licensee where the registrar or the discipline committee can take extraordinary action for the protection of the public.

Further to that, section 25(1)(c) to 25(1)(e) of the *Health Professions Act* apply directly to the registrant as a professional. Since the owner is not required to be a pharmacy professional, this section and the subsections do not apply. The subsections refer to failure to meet professional standards, not competent to practice, suffering from a physical or mental ailment, or emotional disturbance or addiction that impairs the registrant's ability to practice their profession.

The complaint is dealt with in the same way as it would be for a licensee and the application of the sections of the *Health Professions Act* are the same, so in a similar manner as I explained earlier for a complaint against a licensee, a complaint against a proprietor will be done in a similar way.

To circle back and reiterate the direct response to the question, section 32(2) simply indicates that the registrar may initiate an investigation even in the case where there is no complaint, so under the volition or motion of the registrar, they may initiate an investigation. There are a number of things that may compel that. The registrar may receive advice from the advisory committee or by other means that may introduce the need to launch an investigation or initiate an investigation and that simply means that it doesn't necessarily have to come after a complaint.

**Ms. Hanson:** I thank the minister for circling back to the question that I asked, but he didn't really answer the

question that I asked. As he said, the registrar may, on their own motion, absent a complaint — so deal with a matter of misconduct. When I look at the matters contained in the definition of "misconduct", (a) through (f) — I had asked the question with respect to misconduct that would deal with five. How would a registrar, absent the expertise with respect to compounding, prescribing, dispensing, manufacturing, sale, supply or distribution of drugs, devices or natural health products — on their own, absent a complaint, on their own motion — launch this proceeding? I don't understand how that could occur.

**Hon. Mr. Dixon:** The reason this clause exists is because we don't want the registrar — or the act, at least — to rely solely on the issuance of a complaint for the initiation of an investigation. There may be a number of other ways that the registrar learns of what could be potential misconduct. Therefore, this section is necessary for them to have the ability to initiate an investigation without a complaint. It is not to imply that the registrar is going out and conducting inspections themselves and determining that there is misconduct. If there is a complaint that isn't a formal complaint, if the registrar learns of something that could require an investigation other than a formal complaint, we want to have the ability in this act for them to initiate an investigation. That is what the point of this clause is — that we don't want the act to rely strictly on a formal complaint. If there is something other than a formal complaint that comes to the registrar's attention, they can still initiate an investigation without a formal complaint.

I would also note that this type of provision is common in other regulatory legislation, and it is something that we determined was appropriate here.

For the reasons I have explained, obviously the registrar — I know the member had questions about the capacity or expertise of the registrar herself or himself. Obviously they don't have the direct expertise related to the profession, or the pharmacist field, but they do rely on the advisory committee for certain advice as well.

Section 32(2) is aimed at providing another mechanism for the initiation of an investigation and it simply means that we aren't relying solely on a complaint for the launch of investigations into misconduct of a proprietor.

*Clause 32 agreed to*

*On Clause 33*

**Hon. Mr. Dixon:** This section deals with the discipline committee and the orders thereof. This section is identical to the actions that a discipline committee can take against a licensee and simply relates to the actions they can take against a proprietor of a licensed pharmacy or a licensed rural dispensary — very similar to the actions that can be taken against a licensee or a rural permit holder — just to provide the context of this section vis-à-vis the previous one that dealt with licensees.

*Clause 33 agreed to*

*On Clause 34*

*Clause 34 agreed to*

*On Clause 35*

**Hon. Mr. Dixon:** This section obviously relates to an earlier question as well about the public notice of disciplinary action taken. This relates to the access to the inspector's report question that came up earlier. Section 35 requires a publication of an order of a discipline committee that may be the result of an inspection complaint. So the result may be published.

Obviously this section is also identical to the publication provisions set out for the licensee under section 30. In both section 30 and section 35, for the licensee and proprietors respectively, these sections allow for the publication of a decision that is made by the discipline committee, which is, to the degree possible, independent. As I noted earlier, the discipline committees that are provided for in section 25 of the act do have the powers to make decisions, and those decisions have direct impacts on the rights of individuals.

For example, a discipline committee can decide that a licensee must carry on their business in a particular way or can cancel their licence altogether. Again, this is a familiar concept that can be seen in the *Health Professions Act* and other professional licensing legislation. Just as the regulations under the act provide details about who can be members of a discipline committee for a particular profession, this new act provides for regulations to do that in respect of these discipline committees.

By virtue of the fact that the decisions would have implications for the way the business of the proprietor is conducted, or whether or not their licence is cancelled altogether, they would need to make that public so that people can understand the type of discipline that has been handed down to either the proprietor under this section or the licensee under the previous section 30.

I think this section 35 explains, to a certain degree — or completes the explanation to a certain degree — that I provided earlier with regard to the making public of certain actions, especially disciplinary actions taken under this act.

*Clause 35 agreed to*

*On Clause 36*

*Clause 36 agreed to*

*On Clause 37*

*Clause 37 agreed to*

*On Clause 38*

*Clause 38 agreed to*

*On Clause 39*

*Clause 39 agreed to*

*On Clause 40*

*Clause 40 agreed to*

*On Clause 41*

*Clause 41 agreed to*

*On Clause 42*

*Clause 42 agreed to*

*On Clause 43*

*Clause 43 agreed to*

*On Clause 44*

**Hon. Mr. Dixon:** I would like to provide a little background information for members for this particular section. This deals with offences. These types of offences

listed in section 44 are consistent with Alberta's legislation, on which this act is largely based. Under section 44(1)(a), the fine amounts for an individual are consistent with Alberta's legislation, as listed here. Under 44(1)(b), the offence amounts and regime in other jurisdictions are quite varied, and since Alberta, on whose legislation this bill is largely based, doesn't distinguish between an individual and a corporation, these fine amounts for the corporations are similar to Ontario.

Prince Edward Island also includes fines for officers, directors and representatives of corporations. Section 44(2) reads: "If an offence is committed on more than one day or is continued for more than one day, the offence is considered to be a separate offence for each day on which the offence is committed." This provision encourages overall compliance with the act by both individuals and corporations, and addresses the issue of committing an offence, despite the cost of a fine, if the profits to be gained are still greater than the cost of the fine.

So, Madam Chair, I think that information is helpful for members in considering section 44.

*Clause 44 agreed to*

*On Clause 45*

*Clause 45 agreed to*

*On Clause 46*

**Hon. Mr. Dixon:** Section 46 is a long one and relates to the various ways and the various regulations that can and will be developed out of this act. As it says in the lead-up: "The Commissioner in Executive Council may make regulations ..." in the following ways — and the list is very long. It goes all the way to (v), so it's a long list. I wanted to bring members' attention to section 46(hh), which relates to a question that I was asked yesterday and that I didn't provide an adequate answer to, and I wanted to take the opportunity today.

The member asked if there was a statute of limitations on when a person can make a complaint with regard to when the subject of the complaint actually occurred.

As members will note, section 46(hh) reads: "limiting the time for the making of a complaint or the investigation of conduct that may constitute misconduct under Part 3". The statute of limitations, to use that term, is addressed in two areas under the bill. There is a regulation-making power under this particular section, 46(hh), which will set out in regulation the time for the making of a complaint over the investigation of conduct that may constitute misconduct under part 3 of the *Pharmacy and Drug Act*. Both these refer to the complaints and disciplinary action that may be brought against the individual as a professional, licensee or proprietor.

Further, under the offences section of the bill, section 44(6) states that: "A prosecution of an offence under this Act must not be commenced more than two years after the date of the alleged offence." If someone still wishes to take civil action — for instance, a lawsuit — for damages under the *Limitation of Actions Act*, they can still do this. There are varying limitations set out within that act, however, that have no bearing on the complaints and discipline process within the *Pharmacy and Drug Act*.



I think that response provides a more adequate answer to the question that was asked yesterday with regard to the potential of the statute of limitations and I wanted to put that on the record for all members.

As well, I should note that there is a considerable number of regulation-making powers for this act. However, the profession of pharmacy, the provision of pharmacy services and the pharmaceutical industry are fast-paced and rapidly changing entities with significant and potentially lethal implications both for the individual and the population as a whole. Keeping pace with this change requires the flexibility of setting as many rules as possible for regulation of pharmacists, rural dispensaries and drugs in regulations, standards, codes and other tools that are more responsive to this change and can be more easily amended than a statute.

This industry is also predicated on the vast amounts of information and detail. Managing that information also requires a significant number of regulation-making authorities to capture the level of detail required to properly regulate the industry, and hence the lengthy list of regulation-making powers under section 46.

To explain some of them, I should note that section 46(b) refers to a person selling a drug to a prescriber or a wholesale dealer from supplying a business or corporation. Under section 46(c), this will allow for the appointment of out-of-territory expertise from a college of pharmacists and/or a pharmacy owner. That's, of course, very important, given our previous discussions on the need to rely on some outside expertise with regard to various provisions and actions under this act.

Section 46(d) is a general provision, should there be any additional needs or functions that arise. Section 46(e) is a general provision that should as well, if there is anything else we've missed.

Section 46(f) refers to the overall duties of the registrar to issue licences, maintain the information in support of those licences, collection of fees, documenting the decisions of the discipline committee and the actions taken to effect those decisions, performing any duties directed by the discipline committee, performing any other prescribed functions or any function required to administer this act.

So that will be an important regulation to be sure. Section 46(g) outlines types or categories of pharmacy licences that include, but are not limited to, mail order, satellite, institutional or hospital, retail, wholesale, rural dispensary, on-line or Internet, lock and leave, compounding, and repackaging.

I believe sections (h), (i), (j) and (k) are self-explanatory. However, I would like to note that section 46(l) provides — I should note that examples of specialty designations for pharmacies include, but are not limited to nuclear, nutrition support, oncology, pediatric, psychiatric, and diabetic.

Under section 46(m), some specialty designations require specific equipment, such as ventilation systems and storage conditions, and specially-trained staff to perform the specialty pharmacy services.

Sections 46(n) and (o), I believe are fairly self-explanatory, so I won't provide additional comment on those.

Under section 46(p) — of course this relates to imposing requirements and standards for the operation of licensed pharmacies. Drafting these requirements and standards for licensed pharmacies and rural dispensaries will require the expertise of other pharmacy regulators and the Yukon Medical Council, and will be done in cooperation with the Yukon pharmacy and medical communities.

As we have noted previously in this act, the development of the legislation and the future development of regulations will require considerable cooperation with our partners and stakeholders in developing the necessary regulatory tools to enact this bill, and we look forward to working with those groups, including the Yukon Medical Council, in the development of those regulations.

Under section 46(r), there is a reference to paragraphs 12(2)(a) and 17(1)(b). Section 12(2)(a) refers to the specific information, for example, the date, duration or interim licensee, and timing that a licensee or rural permit holder will be required to provide to the registrar when they will be absent from the pharmacy or rural dispensary for longer than eight weeks.

Section 17(1)(a) refers to the contact information that an owner must provide for notices of service and the duty to notify the registrar of any changes. I think that is relevant, Madam Chair, because of course we had significant discussion about that eight-week period and whether or not certain parameters would be set out in regulation with regard to that. I believe that this regulation, once it is developed, will provide some clarity for all members and the public about what exactly that will look like.

Under section 46(s), there is reference to subsection 12(3) and (4), and I should note that those sections and subsections refer to the direct supervision of a pharmacy by a pharmacist and a rural dispensary by a rural permit holder.

Of course, 46(t) is fairly self-explanatory, but very important, of course, as a code of ethics will be an important feature of the regulatory toolkit in terms of developing the ethical or moral outlines for the field itself, and the code of ethics is an important component to that regulatory toolkit.

Section 46(v) reads that it's "respecting requirements for the identification of a pharmacy or rural dispensary under section 16 ..." I should note the requirements for identification of a pharmacy or rural dispensary may include specifics concerning signage. Section 46(w) includes but is not limited to requirements for signage, lighting, ventilation, refrigeration, security of drug storage, required space for overall area of the pharmacy or rural dispensary, required space for dispensary secure areas and restricted access, maintenance and cleanliness.

Obviously the development of the regulations under that section will require the input of pharmacy owners and pharmacists. Again, we look forward to working with our partners and stakeholders in the development of that regulation.

Section 46(z) reads: "...respecting requirements for the availability of records and substances for the purpose of section 26 ..." This includes requirements to ensure the authenticity of electronic prescriptions and electronic signatures, and the security of the data system to manage them. Electronic signatures are currently an area of debate within the medical and pharmaceutical communities in various jurisdictions with the advent of electronic health records and health information systems.

For example, Alberta allows generation of electronic prescriptions, but requires a hard copy with a manual signature; transmission, receipt and storage of the prescription may then be electronic. These trends will be taken into consideration when developing the regulations that apply to prescriptions. So naturally, this is an example of a regulation that will require further consultation with our partners and stakeholders, as we develop the regulations under this subsection.

Under subsection 46(aa), I should provide some explanation. This provision provides flexibility, should additional names or clarifying terms be required, especially for identifying specialty designations of a pharmacy.

Section 46(gg) — I should note that this also includes setting out the grounds for notification of the licensee and the owner. I've already spoken to section 46(hh) and provided some explanation to that subsection earlier in my comments. I believe sections 46(mm) through to (qq) are relatively self-explanatory, but nonetheless very important. Under section 46(rr), I should note that this includes pharmacy services provided by pharmacies external to the territory and whether they must comply with the regulations of the Yukon or in the jurisdiction in which they are physically located.

Section 46(ss) — I should add a note that, currently, the triplicate prescription program manually tracks the prescribing practices of physicians for controlled substances only. It is not the prescription monitoring program referenced in this provision. A new prescription monitoring program will be put in place through the drug information system and will allow monitoring of various drug prescribing, dispensing and purchasing patterns that will apply to all prescribed drugs, not just controlled drugs. This information is captured through pharmacy databases versus the individual physician records. I discussed yesterday, to a certain extent, the development of electronic information systems that will be developed as well.

Under section 46(tt), I should provide the additional comment that, should additional expanded scope activities for pharmacists be adopted, it must be done through a staged approach. As such, additional regulations may be required under this act and may need transitional provisions to complement the staged approach for developing all the other pieces to support implementation. That is important because, as I explained yesterday, there are a number of practices under the expanded scope provisions that are not currently being undertaken in Yukon. While we do envision expanding the scope of practice over time, it will be done in a staged way, as I indicated yesterday as well. Renewing and extending prescriptions, changing drug dosage and formulation and

making therapeutic substitutions would be among the first expanded-scope practices that we would consider, but naturally, over time, we will add to the scope that pharmacists can practice within and include at a future time, hopefully, things like prescribing for minor ailments and conditions, initiating prescription drug therapy, ordering and interpreting lab tests and administering a drug by injection. Those types of scope increases will happen over time, I'm sure, and will require significant consultation and input from the public, from pharmacists and from those in other medical professions, including physicians. I know that any time we expand scope of a health professional, there is interest across the medical profession and from many throughout the medical community. Their input will be sought and considered prior to developing any further expanded scope for pharmacists in the Yukon.

As I noted, this particular subsection provides the ability for us to conduct a staged approach to expanding the scope of pharmacists and allows for transitional provisions that may be necessary to implement such an expanded scope for physicians.

I believe that thoroughly explains what is contemplated under section 46, and I look forward to any additional questions that may arise as a result of those comments.

**Ms. Stick:** I just have one question and it goes back to 46(x) in this section — "respecting the supply of drugs that must be kept in a licensed pharmacy or a licensed rural dispensary". We have heard of drug shortages across the country at times, and some jurisdictions looking at it becoming mandatory for pharmacists — or rural dispensaries, I guess — to notify physicians when drugs are not available in a pharmacy.

Was this contemplated at all in this legislation?

**Hon. Mr. Dixon:** Yes, indeed, the member is correct. That is something that was contemplated in the creation of this act. This particular subsection of section 46 allows for the regulation-making power with respect to that issue. Should we undertake to make that a regulation under this subsection, we would obviously consult pharmacists, pharmacy owners and others in the development of it. It is something that, for the reasons explained by the member opposite in her question, will be of great interest to members of the public as well.

*Clause 46 agreed to*

*On Clause 47*

*Clause 47 agreed to*

*On Clause 48*

*Clause 48 agreed to*

*On Clause 49*

**Hon. Mr. Dixon:** I'll just provide a little bit of information about this section of the bill.

Section 49(1) and (2) allow for the Yukon Medical Council to forward information to the registrar of pharmacists and the registrar of pharmacies any information concerning the conduct of a physician that may constitute misconduct under either the proposed *Pharmacy and Drug Act* or the *Health Professions Act*. The term "medical practitioner" is utilized to include those physicians who may have been registered as a rural permit holder in the past but have

relinquished this designation. Of course, this contemplates the necessary consequential amendments to the *Medical Profession Act* that will be made in this bill as well.

*Clause 49 agreed to*

*On Clause 50*

**Hon. Mr. Dixon:** First of all, I would like to thank the registered nurses who took part in the consultation and provided the input that they did. As a result of the consultation, there were some additional changes made to the *Registered Nurses Profession Act* that are seen here under this particular section. This consequential amendment will authorize registered nurses to continue to be authorized to dispense drugs once the current regulation under the *Pharmacists Act* is repealed. This dispensing service provided by primary health care nurses in community health care centres will not be disrupted.

As I noted previously in comments, I believe, earlier today and yesterday, the ability for nurses to do these kinds of activities was previously contemplated under the *Pharmacists Act* and is now being transplanted into the *Registered Nurses Profession Act* to ensure the consistency of these services that are available to many Yukoners in communities.

Madam Chair, I did want to conclude my comment on this section by saying that I certainly appreciate the input of the nurses in the consultation process, and it was through that consultation that this particular consequential amendment became apparent. Without their input, it's possible that we may have overlooked that, so I certainly appreciate those who provided that input, as it was integral to the bill as we see it today.

*Clause 50 agreed to*

*On Clause 51*

**Hon. Mr. Dixon:** This clause will permit up to one year for an owner and/or licensee to ensure that they can meet the requirements for a licensure.

It simply contemplates the ability for this new act to come into force with the future regulations as well, and allows the period of time for existing licensees and existing proprietors to come into compliance with this new act and the regulations that will be pursuant to the act, as well as the regulations to come under the *Health Professions Act* and the rest of the pharmacy initiative.

I'm confident that they will be able to transition in this period of time, given the considerable input and participation that we've had from the pharmacy community. I don't anticipate this to be a problematic section, given the need to transition to a new system. I know that transition can sometimes be difficult, but I'm confident that this is a sufficient amount of time to transition to this new regulatory system.

If, in the course of our consultation on the regulations and the other codes of ethics, standards of practice, et cetera, it's determined that more time is needed, we'll simply work with the community on a go-forward basis with regard to the implementation of the regulations.

As I've noted before, this act will come into effect, along with regulations, and that will hopefully happen in the near future over the course of the next months and years.

*Clause 51 agreed to*

*On Clause 52*

**Hon. Mr. Dixon:** This is obviously a very short section, but it is an important one. It repeals the *Pharmacists Act* in order to regulate pharmacists and rural permit holders under the *Health Professions Act*. It is proposed that the repeal come into force when the pharmacist regulation is finished and the supporting implementation pieces are in place.

As I said, whether it's the pharmacists themselves, whether it's physicians who are rural permit holders, or whether it's registered nurses who conduct activities under the *Pharmacists Act*, all of that will then be transferred and that *Pharmacists Act* will be repealed. When this bill comes into force and the *Pharmacists Act* is repealed, it will be a significant transition to a new regulatory system that includes all of the provisions we've discussed today.

*Clause 52 agreed to*

*On Clause 53*

*Clause 53 agreed to*

*On Clause 54*

**Hon. Mr. Dixon:** Since the regulations for the *Health Information Privacy and Management Act* are not developed and it is not determined when they will be completed, this provision allows for compliance with those parts of the *Health Information Privacy and Management Act* and regulations that are in force.

Also, I would like to note that that's the final section of this bill and, as we conclude Committee of the Whole, I just wanted to use my last opportunity to thank our officials from both Community Services — Charlene — and from Health and Social Services — Brian — for joining us today and providing me with the support to answer the questions from all members of the House.

Thank you to those who have joined us today, and to those who aren't in the Legislature and are listening in on the radio or otherwise, for the input they provided to this work. It's a significant amount of work and we look forward to moving forward with it.

*Clause 54 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Dixon:** Madam Chair, I move that Bill No. 88, entitled *Pharmacy and Drug Act*, be reported without amendment.

**Chair:** It has been moved by Mr. Dixon that Bill No. 88, entitled *Pharmacy and Drug Act*, be reported without amendment.

*Motion agreed to*

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

**Chair:** It has been moved by Mr. Elias 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:** Mr. Speaker, Committee of the Whole has considered Bill No. 88, entitled *Pharmacy and Drug Act*, and directed me to report the bill without amendment.

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

**Some Hon. Members:** Agreed.

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

### **Bill No. 88: *Pharmacy and Drug Act* — Third Reading**

**Clerk:** Third reading, Bill No. 88, standing in the name of the Hon. Mr. Dixon.

**Hon. Mr. Dixon:** I move that Bill No. 88, entitled *Pharmacy and Drug Act*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 88, entitled *Pharmacy and Drug Act*, be now read a third time and do pass.

**Hon. Mr. Dixon:** It is a pleasure to rise today at third reading for Bill No. 88, the *Pharmacy and Drug Act*, which is the final reading of this act before it passes.

Obviously, we have had a good discussion — today and yesterday — through Committee of the Whole debate and have gone through the various provisions of the act thoroughly and discussed them at length. This bill will go a long way toward improving the safety of Yukoners in a number of ways.

Bill No. 88, the *Pharmacy and Drug Act*, supports this government's priority to enhance public safety by creating industry standards and a framework for the safe operation of pharmacy facilities in Yukon.

Pharmacies are regulated in all Canadian provinces and this new legislation will provide a strong regulatory framework consistent with other jurisdictions. The new legislation will improve recruitment and retention of pharmacists in Yukon by creating a welcoming environment for entry-level pharmacists and provide standards that attract pharmacists currently registered in other jurisdictions.

We believe that by modernizing pharmacy legislation, we are indeed improving the quality of life of Yukoners. Work on this new bill began last April when an advisory committee was appointed to help us modernize this legislation. I want to acknowledge the outstanding support we have received from this group that has worked closely with us in developing the *Pharmacy and Drug Act*. The external advisory committee included two members from the Yukon Pharmacists Association, one pharmacy owner, a member of the Yukon Registered Nurses Association, a member from Health and

Social Services Community Nursing, one member from the Yukon Hospital Corporation, two members from the Yukon Medical Association — one of whom was a community physician with a rural permit and the other was a physician from Whitehorse. The group also included a member of the public from a community that has a rural dispensary. I believe that individual was from Watson Lake.

These people met several times over the past number of months with our internal working group, which included officials from Community Services and Health and Social Services. They have reviewed and provided their input on policy issues associated with this new legislation, as well as the continuing work on modernizing the regulation of pharmacy professionals.

I am pleased to note that the collaborative approach used to draft this complex legislation reflects what will be part of a new model of collaborative, patient-centred health care for Yukon. The *Pharmacy and Drug Act* as we see it today will regulate the operations of community pharmacies and rural dispensaries. It enables the regulation of other categories of pharmacies should the need arise in the future, as we noted in section 46, which outlines the regulation-making powers held within this bill.

To summarize, the legislation proposed today will address the following areas: it will require a licence to provide pharmacy services in Yukon and provision of those services only by qualified individuals; and it will also establish a registrar of pharmacies — a staff member of the Yukon government — and a pharmacy advisory committee to ensure oversight and compliance with the standards, codes of ethics and other requirements outlined in the act.

The pharmacy advisory committee will be established to advise the Government of Yukon on specific operational standards for licensed pharmacies and licensed rural dispensaries and criteria for licensing. If requested by the registrar of pharmacies, the committee may review a licence application or advise on limits and conditions to be imposed on a license, as well as outline what to do about complaints of misconduct. This new legislation will ensure a patient or someone acting on their behalf must be able to, with reasonable ease, contact the manager or a pharmacist for assistance.

This new legislation sets out rules and responsibilities for pharmacy and rural dispensary owners, referred to as "proprietors" in the bill, as well as for managers of pharmacies, who are known as "licensees" in the bill, and who must be licensed pharmacists or physicians who are permitted to prescribe and dispense medications. It also outlines clear obligations that prohibit the proprietor from directing or influencing the management or operation of a pharmacy or rural dispensary that will cause the licensee to contravene their obligations under the bill and compels the licensee to report its potential influence to the registrar.

The bill also establishes a duty for the proprietor to report to the registrar any licensee who the proprietor believes is contravening any provisions of the proposed act. It obligates a licensee to manage the facility and ensure that due diligence is

exercised in dispensing drugs in a pharmacy or rural dispensary in accordance with the standards of operation of licensed pharmacies or the standards for operating licensed rural dispensaries, as well as complying with the professional standards of practice and a code of ethics.

Like pharmacists, all proprietors — regardless of whether they are pharmacists or not — will be held accountable for any misconduct defined under the bill. The bill allows for the government to temporarily manage or wind down the operations of a pharmacy, should a disciplinary or other matter arise. The registrar may apply to the Supreme Court to appoint a qualified administrator to oversee the required process.

Of note, any person providing pharmacy services at the pharmacy or rural dispensary will now do so under the management of a licensee who is responsible for the following: compliance with all applicable legislation, standards for the operation of the facility, standards of practice, and due diligence with respect to dispensing of drugs, counselling and maintaining accurate and current records.

Under the bill, a licensee who plans to be absent for more than eight weeks from the territory must notify the registrar and arrange for management and supervision for the pharmacy or rural dispensary during their absence by an interim manager approved by the registrar. The details around how this will be conducted will be set out in regulation pursuant to section 46 of the bill.

Unless otherwise specified, a manager of a licensed pharmacy must ensure that a pharmacist is always present on-site and supervising pharmacy services when open to the public. This holds true also for managers of licensed rural dispensaries.

Codes of ethics will be established and must be followed for the operation of both licensed pharmacies and licensed rural dispensaries. Inspectors will be appointed by the registrar of pharmacies. They will have the authority to investigate, inquire into, inspect, observe or examine the operation and records of a pharmacy or rural dispensary during regular office hours, without a court order.

A complaint and discipline mechanism is in place and this conduct is defined in this bill. Records are kept and information sharing is maintained in accordance with Yukon regulations for patient safety and support of collaborative care.

Consequential amendments to the *Medical Profession Act* and the *Registered Nurses Profession Act* ensure that doctors and nurses who prescribe pharmaceuticals can continue to practise their professions.

Protecting Yukoners is top of mind with this bill, Mr. Speaker. A complaint and discipline model in the legislation will provide that a discipline committee may caution a licensee or proprietor, suspend or cancel their licence, impose limits or conditions on a licence, or order that limits or conditions be imposed on the operation of a licensed pharmacy or a licensed rural dispensary. Pharmacists and rural permit holders will need to be familiar with the standards

established in their workplace, as well as any professional standards. For example, there are requirements to maintain confidentiality and cooperate with inspectors. Non-pharmacist and rural dispensary staff will need to be supervised to ensure public safety. The staff may alert the registrar if they believe the standards in the workplace are not being met by the pharmacy owner or the licensee.

The act before us references the national drug schedules, which have been endorsed by the National Association of Pharmacy Regulatory Authorities, known as NAPRA, which are used in most provinces, in Yukon and in the Northwest Territories. The national drug schedules consist of three separate schedules within which there are four categories of drugs. They identify where and how a particular drug can be sold. For instance, in non-pharmacy retail outlets, only drugs that are not on the schedules may be sold.

The new legislation will support expanded scope of practice activities for pharmacists, which will be identified in the pharmacist regulation that is currently under development. It will also clarify the roles and responsibilities of the owner and the managing pharmacist or rural permit holder and bring the pharmacy standards in Yukon up to date with other jurisdictions.

Since the bill allows for an expanded scope of practice — I know a number of members spoke at second reading about their desire to see continued efforts toward developing collaborative care and we heard some excellent comments from members about how this has been done and will continue to be done.

The *Pharmacy and Drug Act* and its regulations will be consistent with the pharmacist regulation under the *Health Professions Act* and the ATIPP, as well as the *Health Information Privacy and Management Act* when it comes into effect.

The *Pharmacy and Drug Act* is the first step toward a greater initiative to modernize pharmacy regulation in Yukon. Work has also begun to draft regulations to implement the proposed *Pharmacy and Drug Act*. Pharmacist regulations that will govern pharmacists and rural permit holders under the *Health Professions Act* are also being drafted. Those regulations are very important, Mr. Speaker, and that work is being done as we speak through collaborative consultations with stakeholders, including the Pharmacists Association, pharmacy owners and the rest of the external advisory committee that I mentioned earlier.

As with the bill that's before us today, we will be seeking the input of the external advisory committee in developing those regulations as I noted. When they are ready, we will again be seeking public feedback. The *Pharmacy and Drug Act*, together with these two sets of regulations, will all come into effect at the same time. Combined, they will provide Yukoners and those working in pharmacy professions with a robust and modern regulatory framework that supports increased public safety and this government's vision of a more collaborative health care model.

Developing legislation is an arduous process, so I would like to mention how important the collaboration has been of

members of the advisory group and other stakeholders to the creation of Yukon's modernized pharmacy and pharmacist legislation. I would personally like to thank all those members of the advisory group and especially those who have and continue to provide substantial amounts of time and effort into developing these pieces of legislation and regulation. Their hard work, skills, commitment and ability to collaborate as a team is exceptional and we certainly are appreciative of their work.

I would also like to thank the other jurisdictions who have provided their valuable experiences and insights in supporting the Yukon team through the development of this act. As I noted throughout debate, Mr. Speaker, we modelled this legislation after Alberta and our colleagues in Alberta provided significant assistance to us in the development of this legislation. They will without a doubt continue to provide exceptional support to us as we develop the regulations, which are similarly modelled after theirs.

The *Pharmacy and Drug Act* is the result of significant collaboration with the Yukon health community and public consultation and I thank those Yukoners for their input into this most important bill.

I also wish to thank the various departmental officials from Community Services, as well as Health and Social Services, for their work in preparing this new legislation, which will help to meet Community Services' vision of a vibrant, healthy and sustainable Yukon community.

Those officials who were with us today earlier are to be commended for the assistance that they provided not only to myself but, through me, answers to the questions raised by the various members in the debate we had in Committee of the Whole. There were a significant number of issues we dealt with through today and yesterday, in terms of the development of this legislation and why various provisions were included.

I noted just a few moments ago that we did model this legislation after Alberta, and we do anticipate that further assistance will be required from the Alberta College of Pharmacists in the implementation of this bill and in the creation of the subsequent regulations that will be necessary to enact it. We thank in advance those folks for their assistance.

Obviously there are significant new provisions for licensing in the act, but a number of things have been exempted from the act that are worth noting. The act does not restrict the practice of dentists, nurse practitioners, optometrists or physicians who practice under an enactment; persons authorized to sell a drug by law, such as a pharmaceutical company authorized under federal legislation, to sell to prescribers such as a dentist; a wholesaler from supplying drugs; drugs sold under the *Food and Drugs Act* or its regulations, which may be sold for agricultural or veterinary purposes without a prescription; a manufacturer from carrying out their business; or a member of the Canadian Armed Forces or a visiting force from doing anything in the course of their duties, such as dispensing, that a pharmacy officer may do.

It does, however, prevent anyone from operating a pharmacy without a licence. The regulations also provide for

the exempting of persons, or classes of persons, from the requirement for a licence, and this is where veterinarians and institutions could further be exempted.

I would like to close by again thanking those officials for their hard work in developing this bill. Often we focus on the policy folks who do the hard work to provide the policy provisions in the act but, of course, the legislative drafters from the Department of Justice — the lawyers in the Department of Justice who provided a significant amount of advice as to how this can be applied and how this bill will apply vis-à-vis other pieces of legislation — were certainly appreciated, and the public officials in the government who have provided input in a variety of ways.

I would also like to thank the members of this House for the thorough and excellent debate we had on the bill in Committee of the Whole. I appreciate the questions raised by members opposite and I appreciate the support that we hope to receive in third reading today.

I look forward to voting in favour of this bill, Mr. Speaker, and seeing Bill No. 88, entitled *Pharmacy and Drug Act*, passed in this House. With that, I commend this bill to the House.

**Ms. Stick:** On behalf of the Yukon NDP Official Opposition, we will be supporting Bill No. 88, entitled *Pharmacy and Drug Act*. This is an important piece of legislation that creates a framework that will require a lot of work in the coming years. I want to thank everyone to date who has worked on that, including officials, volunteers, citizens and professionals.

It is very obvious in the act that a lot of work and a lot of thought has gone into this, so a thank you for that, and a thank you also going forward to those who will be asked again to help with the creation of regulations, standards and codes of ethics. There is lots of work to be done.

I would encourage the committee and this government, as this is supposed to be a move — and is a move — to a more collaborative and patient-centred care — if any of these committees or groups or advisory groups that are to help move this forward, they include, at a minimum, at least one person who is the patient voice because, without that, it is not patient-centred. To me that is one of the most critical things — that that voice be heard when looking at this legislation and looking at regulations and standards that are yet to come.

It is a large piece of legislation. I thank the minister and I thank his officials who have been able to answer our questions clearly so that we could understand it and support this legislation.

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

**Hon. Mr. Dixon:** I do not have anything else to add. I simply wanted to indicate that I think I have covered what I need to cover in my various other speeches on this bill, so I look forward to seeing this bill read a third time and pass the House prior to the end of today.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Mr. Elias:** Agree.

**Hon. Ms. Taylor:** Agree.

**Hon. Mr. Graham:** Agree.

**Hon. Mr. Kent:** Agree.

**Hon. Mr. Istchenko:** Agree.

**Hon. Mr. Dixon:** Agree.

**Hon. Mr. Hassard:** Agree.

**Hon. Mr. Cathers:** Agree.

**Hon. Mr. Nixon:** Agree.

**Ms. McLeod:** Agree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Barr:** Agree.

**Clerk:** Mr. Speaker, the results are 16 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for third reading of Bill No. 88 agreed to*

**Speaker:** I declare that Bill No. 88 has passed this House.

**Mr. Elias:** 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 (Ms. McLeod):** Order. Committee of the Whole will now come to order.

The matter before the Committee is Vote 3, Department of Education, in Bill No. 16, entitled *Third Appropriation Act, 2014-15*.

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. 16: *Third Appropriation Act, 2014-15* — continued

**Chair:** The matter before the Committee is Vote 3, Department of Education, in Bill No. 16, entitled *Third Appropriation Act, 2014-15*. We are in general debate in this department.

### Department of Education

**Hon. Mr. Graham:** Madam Chair, may I take the opportunity to first of all introduce the director of finance from the Department of Education, Cyndy Dekuysscher, who will be ably assisting me during the discussion of the supplementary estimates.

I'm pleased to rise in the House today to highlight some of the items from the Department of Education's second supplementary budget for 2014-15. This supplementary budget request reflects how we continue to develop and deliver programs and services to meet the strategic goals of the Department of Education.

The department is requesting a total of \$722,000 for operation and maintenance expenditures for the Public Schools branch, Advanced Education and Education Support Services branches and their programs. The Public Schools branch will be a total of \$645,000.

Yukon schools continue to provide quality and accessible educational opportunities to Yukon students and to keep pace with current educational practices. We are engaging students in their education through educational technology, experiential learning, mentoring and tutor programs and many other opportunities. Technology-assisted learning is one of the ways with which we engage students, and \$250,000 is requested for additional costs for home education and distributed learning, as well as travel and contract costs associated with work on the B.C. curriculum.

\$70,000 is requested for additional proposals received by the Department of Education for special payments, which support programs like the 2014 fall/winter experiential program at the Yukon Wildlife Preserve. \$32,000 is requested to support the rural experiential models hosted in Dawson City and Carmacks, as well as the continued rollout of the blended differentiated learning approach in Watson Lake.

The Department of Education is proud to also provide professional development to its teaching staff through the summer academy, which is a great opportunity for teachers and administrators to connect and learn about new developments in the field of education that support success for every learner.

\$110,000 is requested for additional costs incurred at the 2014 summer academy. A decrease in demand for student boarding and accommodations in the 2014-15 school year resulted in a lapse of \$50,000, and the money was identified to offset other new budget demands, such as \$66,000 for Kwanlin Dun First Nation's home tutor program and \$22,000 for operational bridge funding for the Yukon Literacy Coalition. The Yukon Literacy Coalition had requested funding from the federal government, and this funding was

used to bridge the time between when the funding was requested and when it was received.

A total of \$159,000 is requested for the Advanced Education branch to support the delivery of immigration, labour market and training programs and services for Yukon.

On October 27 last year, the Department of Education entered into a two-year agreement with Employment and Social Development Canada to enhance the assessment and recognition of foreign qualifications of accountants in the Yukon. \$80,000 is requested to support Yukon's commitments under this agreement.

Through the *Canada-Yukon Job Fund Agreement*, the Yukon and Canadian governments are working together to assist individuals who want to improve their job skills or who need support entering the job market. The *Canada-Yukon Job Fund Agreement* provides approximately \$1 million per year to support training opportunities that will help Yukoners find or upgrade their job. \$14,000 is also requested for a cash-flow adjustment for anticipated expenditures and is 100-percent recoverable from the Government of Canada.

The Education Support Services branch reported a net decrease of \$19,000 under finance and administration. However, \$225,000 is requested for increased student transportation costs including the Handy Bus services.

We continue to work closely with our colleagues at the Department of Highways and Public Works on projects such as the Teslin School lease. In July 2014, the Department of Highways and Public Works entered into a lease agreement with Teslin Tlingit Council for the lease of the Teslin School. The Department of Education currently holds the budget for this lease, and \$249,000 is the amount remaining after the Department of Education paid the lease up until June 2014. That money needs to be transferred to Department of Highways and Public Works. The term of the lease is 10 years, commencing July 1, 2014, to June 30, 2024, with the possibility of renewal for an additional five years.

The total supplementary budget requested for the Department of Education's capital expenditures is \$1.551 million, which represents costs for facility construction and maintenance and instructional programs. \$2.225 million is requested to re-acquire the Teslin School building, which Yukon government does not legally own, but has assumed all of the benefits and risks of owning under the Teslin School capital lease. The original cost of the school has been written off and the loss reported and recognized in period 8.

There were \$97,000 in surpluses identified for transfer to the Department of Highways and Public Works for capital maintenance repair projects. The Property Management division has requested these funds to complete two flooring replacement projects and snow removal at Yukon College.

In 2015-16, we will be replacing the boilers in the old wing — the 1981 wing — in Porter Creek Secondary School to improve energy efficiency. The Property Management division has requested that design money be moved forward from the 2015-16 capital budget for the Porter Creek Secondary School boiler replacement project and \$20,000 was requested for that purpose.

Funding of \$705,000 has been deferred to 2015-16 under instructional programs due to the delayed implementation of the new student information system. \$597,000 of these funds are requested to be deferred for the implementation and teacher training on the new system, which is expected to begin in the spring of 2015. \$108,000 of these funds are requested for a school van replacement for the Wood Street Centre School in order to continue to safely transport students and staff on extended school trips outside of Yukon. A replacement 24-passenger activity bus is being purchased. The delivery was expected by March 25, 2015; however, it was delayed until April of this year.

The supplementary budget continues our support of programs and services that serve Yukon learners of all ages to succeed not only in school, but in all of our communities.

That is all I have to say as an opening. I look forward to questions from the opposition.

**Mr. Tredger:** Thank you, Madam Chair, and I thank the minister for that summary.

I too would like to welcome Ms. Dekuysscher to the Legislature and thank her for the work she has done in preparing the statements. I would also like to take the opportunity to welcome the Member for Porter Creek North and congratulate him on his appointment as Minister of Education. I hope he finds his stint in Education as rewarding and fruitful as many educators — many people — have found. Education is an extremely exciting field and I would welcome him to that. The minister comes with a reputation as a straight shooter and a team builder and I'm sure the education system in the Yukon can take good advantage of those skills. So I welcome Minister Graham.

Today we're debating the Supplementary No. 2. I haven't had a briefing yet but I appreciate the minister's rundown. I may have missed a few of the items so I may be asking a few questions on some of those, if I could ask him to bear with me on that. I will be saving the majority of my remarks for when we debate the mains.

I just have a short preamble I would like to read into the record. I would like to recognize the importance of all the partners in education — the First Nation governments, parents, the teachers and the Department of Education. Our *Education Act* envisioned all the partners working together in partnership, in cooperation and respect. Indeed, research has shown us that the teacher/student relationship is of paramount importance. This is where education occurs and where we must direct our support, our resources and our energies. For each budget item we discuss, we must ask: How will this make a difference for our students? How will it improve their opportunity to learn successfully?

Research has shown that the closer to that student/teacher interaction to classroom the decisions are made, the more effective and relevant those decisions are. We must work to ensure that decision-making relies on, is informed by, and in response to teacher, school and community input. School- and community-based decision-making is key to student success. The relationship between the partners, First Nation governments, Department of Education, parents and teachers



is critical to that learning. I encourage the minister to use his tact and his diplomacy and his team-building skills to develop an education team that's working together for all our children.

I just have a couple of quick questions that came out of the minister's statements. One of them — he made mention of the Handy Bus. I wonder if the minister could elaborate on this as I was under the impression that the funding came from Health and Social Services.

**Hon. Mr. Graham:** The Handy Buses that the department runs are through Takhini Transport — the contractor who we lease with — but we also utilize from time to time taxi services in the City of Whitehorse for transportation of people with disabilities as well as the municipal Handy Bus system, so we make use of whatever services are available in the event of a person with disabilities needing transportation to school.

**Mr. Tredger:** While we're talking about transportation — I believe it was the Premier, but somebody mentioned that there was a move to use the City of Whitehorse bus system more and more. It could have been the minister referring to the students in schools using the city bus system as a means of efficiently and economically moving them around the school. Can the minister give us an update on that? Have funds been expended in terms of planning for such a move in the next school year?

**Hon. Mr. Graham:** At the present time we are providing some students with school bus passes on the city transit system. We're still looking at the results of this trial as well as determining what the actual costs are going to be, because we know that increased use of the public transit system will decrease, hopefully, the use of private vehicles as part of our sustainability effort. I know, as former municipal councillors, the Member for Riverdale South and I both support Whitehorse transit as much as we possibly can, knowing the amount of money that it's costing.

The city, in cooperation with the department, allows us to operate a program that offers free passes to secondary school students within the City of Whitehorse, and about 550 students currently participate in the program but the program is strictly voluntary. They ride the transit system to and from school, and they are no longer eligible to maintain a confirmed seat on a school bus. That's the part we're taking a close look at. We're trying to determine if students are simply using the transit passes when it's convenient and using the school bus system when it's more convenient to them to do so.

So there are a number of things that we're taking close look at before we commit ourselves completely to going with the city transit system. As well, you have to understand that the city needs some lead time to bring their fleet up to the required number to accommodate a huge influx of high school students in the city.

**Mr. Tredger:** Thank you for that answer. I too am a fan of public transportation and I know, as a principal, we were looking at it some time ago and I think it's a way of achieving efficiencies as well as working with our greenhouse gas emissions and moving toward encouraging people to use public transportation. If there are more students riding the

buses as the minister suggested, there will need to be more buses and more things. I would encourage the minister to continue on this path and to plan and hopefully we'll see more and more students sharing the buses on Whitehorse transit.

The minister mentioned the Yukon Literacy Coalition. I know they've been operating for a couple of years now. Do we have a report and a workplan for them as to where they're going?

**Hon. Mr. Graham:** At the present time, we fund the Family Literacy Centre. The rest of the coalition is being funded by a grant from Ottawa. This year we provided bridge funding, which was the \$22,000, because the Literacy Coalition wasn't certain they were going to receive the money from Ottawa, so we agreed to fund them \$22,000 as bridge funding.

The Family Literacy Centre is currently working with the Public Schools branch to establish their accountability indicators, which will indicate how well they're doing with Yukon learners. We're currently discussing future funding arrangements and we hope to be able to put together a three-year plan with the Yukon Literacy Coalition for funding the Family Literacy Centre in the future.

One of the things we're working on is the Yukon literacy strategy, and it was due to be completed last year but has been delayed in order to receive more input from Yukon First Nations. I know the finalization of the strategy could be delayed even longer in order to work toward the Yukon First Nation involvement.

The Yukon Literacy Coalition, the Yukon literacy strategy working group and the First Nation education committee held a joint meeting and they're working to complete that literacy strategy. I had a report as early as about three weeks ago, and there was a great push on to get that literacy strategy in place before this session. It wasn't done, but I expect it in the very near future.

You'll see in the coming budget briefing tomorrow that, in 2015-16, the Yukon Literacy Coalition will receive about \$280,000 from us. That's in addition to the \$22,000 that was bridge funding.

**Mr. Tredger:** I did confuse the two terms and I appreciate following up on that. The Yukon Literacy Coalition does do very good work. I've visited their centre at the Canada Games Centre, and I've also visited them downtown here. Some of the work they're doing is quite phenomenal. They help a lot of students and a lot of organizations. I was interested in the Yukon literacy strategy and I thank the minister for his update on that.

Again, literacy in the Yukon — as the minister well knows from his experiences at the college and in the Yukon — is a critical skill for many of our students to participate to the best of their ability in our economy. Thank you and I look forward to updates on our Yukon literacy strategy. I just have one more question and then would suggest we go to line-by-line debate.

The Premier had mentioned a new K to 12 curriculum and it is a massive undertaking. It is going to take a lot of time and planning. I wondered whether any planning had come out

of this — any dollars had been spent in sort of pre-planning to get to the stage where we are now, whether the consultation looked at the risks of changing the curriculum, the potential target dates for various components of the curriculum — and if any of the supplementary budget had been allocated to the planning of this undertaking?

**Hon. Mr. Graham:** There are no funds in the current supplementary budget for the project as outlined by the Premier. I just want to tell all members — and I know we'll get to discuss this at length in the future — I took a look at what we have done in education even over the last 10 years. I looked at the education reform project; it has been eight years since that happened. I looked at the *One Vision, Multiple Pathways: Secondary School Programming* project, and I think it has been about six or seven years since that one was done. I looked at the *Helping Students Succeed* project, which was done in 2008. That was the vision, goals and priorities for Yukon First Nation education. Then, six years ago, the Auditor General's report came out and the New Horizons strategic plan, which is the newest — came out five years ago.

We have taken all of those plans together, because what we want to do is undertake a comprehensive look at what we are doing in Education before we embark on this curriculum project. We have done a number of things as a result of all those programs, but we feel that this is where we should be heading in the future. As I said before, it is not something that we are going to rush off and do in the next year or two, but it is something that to me was clearly indicated, after looking at all those reports.

The comprehensive review, I guess, will begin with a summarization of all of those reports — what we have done, what we have yet to do — and then we will begin to discuss with our various partners in the system, as you have noted: First Nations, school committees, the Yukon Teachers Association, school administrators, school councils, and the students themselves. It is amazing how much these students have to tell you about the education system and their place in the education system.

As well, I've had some conversations with Yukon College. Yukon College has great expertise in the curriculum development field and they even have more expertise in selling the curriculum that they developed as equivalent to, or better than, existing curriculum in other jurisdictions. By saying that, I mean we've managed over the years at the college to gain acceptability in a number of universities in southern Canada for programs that we've developed locally. The college will also be involved in this project.

We will expect to outline basically where we're going in the next few months and then we'll begin our consultations with our various partners, but we also don't feel that we should just run out there and start saying, "What do you think should happen?" We need some kind of proposal before we go out and begin those conversations with our partners, so we'll develop that proposal after taking a more complete look at the things that have happened over the last 10 years.

I realize that's probably a little more information than you wanted, but I thought this was a good time to do it.

**Mr. Tredger:** Thank you and I do appreciate that. As an educator, listening to the minister go through some of the things that have happened in the last 10 years — as an educator it seems that we get a new wave of looking at things every couple of years and I was very concerned when I heard talk of a completely new K to 12 curriculum. This is a massive, massive undertaking and jurisdictions much bigger than ours have struggled with that. We do have an advantage in that we're a smaller jurisdiction and we have very engaged partners. I appreciate the minister's decision to do a comprehensive review rather than a new curriculum first and then review it later, which often happens to educators, and I thank him for that.

Having said that, I have no further questions in general debate and I'm ready to move on to line-by-line debate.

**Chair:** Does any other member wish to speak in general debate?

We're going to proceed then to line-by-line debate — page 4-4.

#### *On Operation and Maintenance Expenditures*

##### *On Education Support Services*

**Mr. Tredger:** Just on Education Support Services — I know the names have been changing somewhat over at the department. Is Education Support Services what we used to know as "Special Programs"? Maybe you could tell me what Education Support Services is.

**Hon. Mr. Graham:** Education Support Services include the deputy minister's office, finance, human resources, student transportation, policy. Am I missing anything?

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

**Hon. Mr. Graham:** I think it's the administrative role of the department.

#### *Education Support Services underexpenditure in the amount of \$19,000 agreed to*

##### *On Public Schools*

**Mr. Tredger:** In Supplementary No. 1, we added \$293,000 and in this one another \$645,000. Can the minister explain where the bulk of that almost \$1 million went in public schools? How it was spent?

**Hon. Mr. Graham:** It was all extremely well spent — \$250,000 was spent to support additional costs for home education and distributed learning. This has taken a massive jump in the last two years. It was interesting because I had a long conversation with a fellow who teaches in the distributed learning area. He informed me that when the school system went through the exercise — shall we call it — with the Catholic high school, the number of people accessing distance learning increased dramatically. So we don't know if it is something that is going to continue on — that dramatic increase in the distributed learning. However, this was what it cost us during that period of time.

There was another \$125,000 requested for inclusion in Supplementary No. 2 to assist with various legal fees related to both the section 23, minority language educational rights and the response to the appeal the CSFY filed in the Supreme Court of Canada, and \$110,000 was requested to support the

additional costs incurred for the summer academy, as I stated in my introduction, and \$66,000 was to support Kwanlin Dun First Nation in their home tutor program. That is the whole \$645,000.

**Mr. Tredger:** Thank you for that answer. The distributed learning — does that include Aurora school?

**Hon. Mr. Graham:** It includes Aurora Virtual School as well as the home schooling reimbursement of \$1,200 to the families for home schooling. It includes all of the course costs that we are paying because we have to purchase the courses from B.C., but it does not include staffing.

**Mr. Tredger:** The Aurora school has been operational for a few years now and achieved some successes. Has any evaluation or any study been done to see how effective it has been and the success rate of the students who depend on Aurora school? As well, I understand that the Aurora school is supporting the blended learning and some of the other programming in our rural communities. Has there been any assessment of that effectiveness versus other options?

**Hon. Mr. Graham:** It was only started in the 2013-2014 year so it has only been going on for a couple years. There has not been a formal evaluation of the program. However, anecdotal comments I've heard from — as I said, I know one of the instructors there fairly well and meet with him a couple times a week, and his anecdotal summary was that it's working, and the people who are attending surprised him to a tremendous extent and, as I said, the difficulties with the Catholic high school resulted in a large increase in the usage, probably accounting for a great deal of this money.

We are making some changes. We just recently discussed possible changes involving both the Individual Learning Centre and the Aurora Virtual School so we'll be prepared to come forward with some changes in that area in the very near future.

These things contribute that flexible learning environment for students, especially for students who learn at different rates or who are bullied or teased at school, so in that sense this is a wonderful thing. I'm a great believer in evaluation and we will be taking a close look at the program, but we have to give it a chance to see how it's going. Possibly I'll suggest to my deputy that we look at it within the next year or two as a formal evaluation process.

**Mr. Tredger:** I thank the minister for that. The distributed learning has potential for great successes, but we have to ensure that we use it as effectively as possible. I have heard some concerns about the ability to mark and the relationship between the markers and the students. When one thinks about it, if we're used to one-on-one instruction or a teacher being right there, and when they're virtual instead of real, it may create some problems.

I thank the minister for his answer and I look forward to seeing that program expand and be the best that it can be.

***Public Schools in the amount of \$645,000 agreed to On Advanced Education***

**Hon. Mr. Graham:** I'll perhaps go through and just let you know exactly what it is.

The foreign credential recognition program is an agreement between Employment and Social Development Canada and the Government of Yukon to enhance the assessment and recognition of foreign qualifications of accountants that come to the territory, so it's only starting with the one occupation — that is, accounting.

The term of the agreement was November 3 of last year to October 31, 2016. The \$63,000 was an internal transfer from Yukon College, and it was an internal transfer from the seat purchases under Yukon College and reflects the revised cash flow for the labour market development agreement. The Canada-Yukon job fund requested a cash flow adjustment to reflect anticipated expenditures, and that \$14,000 is 100-percent recoverable from Canada.

We also had a manager's increase, a market adjustment of 1.75, to salaries for management categories, and that was a \$2,000 expenditure.

**Mr. Tredger:** I thank the minister for that. I did have one question on the labour market, and I'm trying to wrap my head around how that works. I know there was a prospective employee who was looking to bring in a skilled worker, and he raised some questions about how to get a labour market analysis. I wondered if the minister could shed any light on that — how it's done, and whether the employer pays for it or whether Advanced Education pays for it.

**Hon. Mr. Graham:** I'm not sure, and maybe I would defer to the former Minister of Economic Development to request —

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

**Hon. Mr. Graham:** I'm sorry, Madam Chair, I do not have an answer to the question but I will endeavour to get one.

***Advanced Education in the amount of \$159,000 agreed to On Yukon College***

**Mr. Tredger:** I have just a question — with the increasing emphasis on skills training and Yukon College, I'm wondering how \$63,000 lapsed.

**Hon. Mr. Graham:** This is a simple internal transfer. At the beginning of each year, they get funding for seat purchases in various programs. If the estimates are off and they are unable to fill a certain seat purchase, then they return the money. So there are two different entries here, both for \$63,000. One is an internal transfer from Yukon College and one is an internal transfer from Advanced Education.

**Mr. Tredger:** Are there situations where our community campuses or Yukon College, because they didn't get enough students, would have to pay for courses and therefore have a shortfall?

**Hon. Mr. Graham:** You are usually talking about two different things. If Yukon College is offering a course in a community, many times what happens is that they'll negotiate an agreement with Advanced Education for payment of that particular course. The student funding, which is what we're talking about here — seat purchases — is either done through an apprenticeship program or it's done through the student financial assistance. They are two different things.

*Yukon College underexpenditure in the amount of \$63,000 agreed to*

*Total Operation and Maintenance in the amount of \$722,000 agreed to*

*On Capital Expenditures*

*On Public Schools*

*On Facility Construction and Maintenance — Teslin School Capital Lease*

**Mr. Tredger:** I know the minister referred to that in his talk. I just wondered if he could repeat it for me.

**Hon. Mr. Graham:** I think we have to go back to 1966, when the Teslin School was built. I am not 100-percent certain, but I am quite sure of the date, and it was evidently built at that time on federal government land that hadn't been transferred to the Yukon, which was later transferred to Teslin Tlingit Council. Through the years, we have paid either a lease or a payment to Teslin.

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

**Hon. Mr. Graham:** Sorry, we just started. The Yukon government does not legally own the building, but substantially all of the benefits and risks associated with owning the building have been transferred to YTG under this lease agreement that we now have with the Teslin Tlingit Council. This meets the criteria of a capital lease and capital leases must be accounted for as an acquisition of an asset to the Department of Education and an assumption of an obligation by the Department of Highways and Public Works. The request is for re-acquisition of Teslin School. The original cost of Teslin School has been written off and a loss has been recognized in period 8 as well.

If you understand that, I think you should come over and explain it to me, but essentially, as I understand it, the land that the building is sitting on is owned by the Teslin Tlingit Council. We have just entered into a 10-year lease and it will cost us — I think — \$249,000 this year, give or take. It is a 10-year lease, so it will be paid from 2014 to 2024. It is a source of income for Teslin Tlingit Council because they still own the land that that building was built on in the 1960s.

**Mr. Tredger:** So for the period between 1966 and when we started to pay this lease, it was just an arrangement that we were on their land?

**Hon. Mr. Graham:** This is why I thought we had been paying this lease for some time, but the original agreement was between the federal government and the Teslin Tlingit Council. It expired on June 30, 2013, which is why we have now picked up the lease, so that kind of explains what happened.

**Ms. White:** Just to follow up the questions about the lease agreement — when we first went through the election and we were trying to learn how to read budgets and things, we were always told that zeros meant there was nothing coming in the future, so to have a zero under the Teslin School capital lease, knowing that the agreement was coming to an end, why wasn't it put as a dollar so that it was forecasting that there would be a change in the upcoming budgeting year — or that process?

**Hon. Mr. Graham:** Madam Chair, departments don't typically budget a dollar for this type of a lease agreement where we have no idea what the lease agreement is going to be. It took some time for the department to negotiate this lease with Teslin Tlingit Council because it's something that we hadn't been doing for the last 40 years or however many years. It is something that we've just recently taken over and Cyndy tells me that we don't normally put a dollar figure in there until we know what that dollar figure is, so that would be the reason.

**Ms. White:** So just to follow up on that. When you look at the *Financial Administration Act* — we have the Yukon Liquor Corporation, for example, when it talks about revenues and they don't put a projected amount; they put a dollar. It's a placeholder for money in the future. So knowing that the lease was expiring — and we're just trying to figure out because it seems like if we knew that was coming down in 2013, that a dollar would have been put in as a placeholder to say that we're broadcasting that in the future this will have a dollar amount. So we're just trying to figure that out and trying to understand how to read things into the future if something can have like, a zero, and then it can have a \$2-million expenditure.

**Hon. Mr. Graham:** Madam Chair, the \$2-million expenditure was a capital lease acquisition. That's different from the lease payments that will be going out the door every year. The \$2,225,000 was not an actual cash transfer to anybody. It's a simple accounting transfer. It's like the \$63,000 between Advanced Education and Yukon College. They're offsetting money transfers. The original cost of the Teslin School, which I will assume is the \$2,225,000 we had on the books —

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

**Hon. Mr. Graham:** The original cost of the Teslin School was written off in period 8 as a loss, so that was substantially less, as you can imagine, than the \$2,225,000, which is the current appraised value of the building.

**Ms. Hanson:** Madam Chair, I think my colleague was attempting to clarify. I'm not arguing or disputing the dollar amount that the minister has indicated — that the Department of Education has entered into in terms of a lease agreement with the Teslin Tlingit Council — but simply that the convention in the *Financial Administration Act* is that it's the responsible, prudent fiscal management approach to indicate that, if there is a plan to make an expenditure of dollars — it's basically a place marker so it doesn't look like the government is into ad hoc, sort of out-of-the-blue expenditures, but simply that you know that you are planning to or you have been working on a lease arrangement or whatever else, and you simply are saying we don't know exactly what the amount will be.

So, for the purposes of avoiding the opposition jumping to a conclusion that may be incorrect, as I think the minister has attempted to outline this afternoon, there has been a process here that has been followed. We're simply asking to follow the convention so that we too don't get caught in matters that really can be explained — that would be much

easier to explain than simply — it looks very ad hoc. Every time you see a zero and you see several millions afterward, it's like, so where the heck did that come from?

I simply request that the department and the government employ what the *Financial Administration Act* has indicated should be done, which is to use a dollar.

**Hon. Mr. Graham:** I never thought we would be debating an accounting transaction here, but I have to tell you that I don't know. At the time the 2014-15 budget was being prepared, I'm not sure where the Teslin School lease payment was. If a year and some-odd time ago the department had some idea about the Teslin lease, then I'm sure they would have included it.

What we will do is undertake to take a very close look at it and give the opposition a written analysis of the situation.

*Facility Construction and Maintenance — Teslin School Capital Lease in the amount of \$2,225,000 agreed to*

*On Facility Construction and Maintenance — Capital Maintenance Repairs*

**Mr. Tredger:** In *Supplementary Estimates No. 1*, we added \$309,000, and now we're taking out \$97,000. Can the minister explain if there were projects that weren't carried out or whether we were underbudget on them or whether this is being deferred to future budgets?

**Hon. Mr. Graham:** No, this is just managing the Property Management Division's maintenance budget. They managed to come in underbudget on a few capital repair projects and, because they came in underbudget, there was funding that wasn't required. Property Management Division, during the maintenance projects that they had worked on, requested those surplus funds — this \$97,000 — be transferred to them so they could carry out two other projects that they felt needed to be done — in terms of replacement projects at various schools in the territory.

The \$97,000 transfer is simply that we had the money in our budget. The projects that they had completed were underbudget. We agreed to transfer the money to them so they could do two flooring replacement projects at two schools and there were some snow-removal problems at Yukon College that they needed a little bit of money for as well, so we agreed to that. That's why we transferred the money back to them.

**Mr. Tredger:** So that \$97,000 will show as money in one other budget — as an input in one other budget?

**Hon. Mr. Graham:** Yes. That is exactly what will happen. The money was transferred to Property Management and they undertook the two replacement projects at two schools that were identified as having inadequate flooring.

*Facility Construction and Maintenance — Capital Maintenance Repairs underexpenditure in the amount of \$97,000 cleared*

*On Facility Construction and Maintenance — Porter Creek Secondary School — Boiler Replacement*

**Ms. White:** I just want to highlight the difference between, for example, the boiler replacement or the school van replacement. Those are unexpected expenditures because, I'm imagining, something happened. The reason why I was trying to figure out the dollar amount is because that was

planning, so I just wanted to highlight the difference between the two and the reason why I had the question before. It was just to highlight that I imagine this was an emergency replacement and maybe it wasn't on a list to be replaced. Maybe I can hear more about it now that I've stood up.

**Hon. Mr. Graham:** The \$20,000 in request for Porter Creek Secondary School boiler replacement is simply planning money that we advanced from 2015-16 back to 2014-15 so they could do the planning last year in order to replace the boilers this summer. That's why the money was transferred.

*Facility Construction and Maintenance — Porter Creek Secondary School — Boiler Replacement in the amount of \$20,000 agreed to*

*On Instructional Programs — School-Based Information Technology*

**Hon. Mr. Graham:** The new student information system has experienced delays. Specifically, the delay was caused because we had a great deal of difficulty signing a memorandum of understanding with the Ministry of Education in British Columbia. Before the memorandum could be signed, the privacy impact statement, as we have in our new legislation, needed to be finalized. We finally signed an MOU in August of 2014, but implementation and training was therefore put off until this month — April 2015. There was \$597,000 transferred to 2015-16. The remainder, \$108,000, was transferred to the school van replacement project so that it could be done in advance.

*Instructional Programs — School-Based Information Technology underexpenditure in the amount of \$705,000 cleared*

*On Instructional Programs — School Van Replacement*

*Instructional Programs — School Van Replacement in the amount of \$108,000 agreed to*

*On Total of Other Capital*

*Total of Other Capital in the amount of nil cleared*

**Total Capital Expenditures in the amount of \$1,551,000 agreed to**

**Total Expenditures in the amount of \$2,273,000 agreed to**

**Department of Education agreed to**

**Chair:** We are going to move on to Vote 53, Department of Energy, Mines and Resources. Do we require a recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

**Department of Energy, Mines and Resources**

**Chair:** The matter before the Committee is Vote 53, Department of Energy, Mines and Resources.

**Hon. Mr. Kent:** Madam Chair, it's my pleasure to introduce the 2014-15 EMR supplementary estimates. Before I do that, I would like to welcome two officials from Energy, Mines and Resources to the Chamber here today. First — no stranger to the Chamber — the acting ADM of Oil, Gas and Mineral Resources, Ms. Shirley Abercrombie, and Ms. Manon Moreau, who is making her first visit, I think, to the Legislative Assembly. She's the acting ADM of Energy, Corporate Policy and Communications. So if we could get members to welcome them, that would be great.

*Applause*

**Hon. Mr. Kent:** Madam Chair, this supplementary budget reflects adjustments made to the 2014-15 budget as EMR works to manage Yukon's natural resources and ensure integrated resource and land use.

For this supplementary budget, EMR requests an overall increase of \$2.884 million for operation and maintenance expenditures and a decrease of \$485,000 for capital expenditures. Under O&M, these are the following significant changes: a \$200,000 internal transfer from Corporate Services to the Energy branch to fund the 2014-15 costs for the residential energy-efficiency incentive program; a \$1 million contribution agreement with Kluane First Nation for energy-related initiatives; \$213,000 for Assessment and Abandoned Mines — this increase reflects adjusted workplan for Mount Nansen, as per the amended type 2 mine sites agreements with Canada. This amount is 100-percent recoverable from Canada.

There's a \$400,000 decrease from Oil and Gas Resources. This is for the well B-62 abandonment project. Initial work has been completed and additional work will be finished in the summer of 2015. This funding has been moved into the 2015-16 budget. We have \$2.08 million to Compliance Monitoring and Inspections. That's for the Ketz River mine, specifically inspection and maintenance of the facility. This funding is security from the company, which is 100-percent recoverable from a third party.

Under capital, \$485,000 in funding remaining is moved to the 2015-16 budget in order to complete road realignment work on the Dome Road.

That concludes my comments with respect to the 2014-15 supplementary estimates, but this is the last opportunity that I have really to speak to the 2014-15 accomplishments of the Department of Energy, Mines and Resources.

I would like to thank all of the individuals within the department for everything they do, on behalf of Yukoners, on a daily basis. We have individuals who work across the territory, making sure that a number of aspects that affect the daily lives of Yukoners are taken care of.

One of the important aspects of the work that Energy, Mines and Resources does is to provide land for Yukoners. The Yukon government continues to work with the City of Whitehorse to identify a comprehensive list of Commissioner's lots that can be made available through future sale. Currently in Whistle Bend, approximately 94 single-family lots, 16 duplex lots and seven multi-family lots are for

sale over the counter. An additional 50 residential lots will be released this summer through lottery.

Over the past year, Yukon government has sold approximately 130 hectares of new Crown land for agriculture and is currently preparing another 370 hectares of land for sale through the planned land area review process in a number of areas throughout the Yukon.

The Agriculture branch has initiated the process to develop agriculture lands identified in the West Dawson and Sunnydale local area plan, which was completed in 2013.

Vacant land inventory research is being carried out in Dawson and other Yukon communities and the Land Management branch has worked closely with the municipalities of Haines Junction and Teslin to develop the Willow Acres and Sawmill Road subdivisions.

Land administrators continue to harmonize and streamline the land and subdivision application and development process. Transfers of both the rural land development program from the Department of Community Services, as well as the rural portion of the agreement for sale program from the Yukon Housing Corporation have put the development and sale of planned lots within one department.

The Land Management branch has entered into land development protocols with all Yukon municipalities. These enable each community to identify lands for future development. Lots continue to be available in Dawson City, Haines Junction, Carmacks, Destruction Bay, Teslin, Faro and Watson Lake.

Amendments to the Mount Lorne zoning regulation in March 2014 allow the subdivision of privately owned, rural residential and agricultural lots. This could result in an additional 93 rural residential lots over the next few years. So far, 22 subdivision applications have been approved for this area.

A draft feasibility study has been completed for the Teslin connector road to support development of industrial lots west of the airport. The report is being reviewed by Teslin Tlingit Council, the Village of Teslin and Yukon government joint steering committee.

Land Management branch continues to improve on-line information, such as the lands viewer software, lottery information, availability of lots and land policies, and ensures that it is up to date, clear, accurate and easily accessible to the public.

Development of a Tagish local area plan is well underway in accordance with provisions in Carcross-Tagish First Nation's final agreement and self-government agreement.

The Yukon government has actively pursued strategies and activities to support our economy through resource development. The Premier and I, along with several members of Yukon's mining and exploration industry met in February of 2015 with key Canadian economists and business leaders in Toronto to discuss and promote business opportunities in the Yukon. One key project is the initiation of a mineral development strategy for Yukon.

The Premier, two of my Cabinet colleagues and I attended the mineral exploration roundup in January of 2015

to meet with industry reps and showcase Yukon's commitment to our mining industry.

We are also assisting the mining industry by providing double the value for filed mineral exploration work on claims for the next year. This started February 1, 2015. The extra credit to claim holders will assist in keeping their claims in good standing. The Mineral Resources branch licensed the Alexco Resource Corporation's Onek and Lucky Queen ore projects in the Keno Hill mining district. Victoria Gold's project was also licensed, enabling the initiation of construction. Quartz mine licences for phases 5 and 6 of Minto mine were also issued.

Through the Growing Forward 2 program, a five-year funding agreement continues to support various projects, including ongoing agriculture marketing activities at the Fireweed Community Market here in Whitehorse. The Forest Management branch established a three-year project to examine opportunities for the forest industry. An annual industry workshop will contribute to this effort.

Wood supply continues to be developed in Haines Junction, Whitehorse, Dawson and Carmacks. Additional timber harvest plans have been prepared to meet wood supply demands. In support of future resource development, this government has continued research as well. A database link was developed between FORESTAR, which is a client permitting system, and geographic spatial data in March 2014. It is available to all Yukon government departments and to the public in the Yukon Geological Survey corporate spatial warehouse.

The southcentral Yukon vegetation inventory project was completed March 31, 2015. The southwest — or in the Haines Junction area — contract was awarded and progressing on schedule to be completed by September of this year. A vegetation inventory is a fundamental dataset or information source for making sound forest investment and forest management decisions. The Forest Management branch completed aerial and ground field monitoring in key areas last summer.

These contribute to the 2014 *Forest Health Report*. The second year of a five-year monitoring plan for the mountain pine beetle has been completed. In 2014, the Gunnar Nilsson and Mickey Lammers Research Forest hosted the Yukon Envirothon, with over 170 high school students participating.

The forest management implementation agreement of 2012 with the Champagne and Aishihik First Nations establishes a vision for achieving forest-based social and community economic development objectives in the First Nation's traditional territory. The objectives are being met, including the Champagne and Aishihik First Nations traditional territory inventory contract and preparations for a timber supply analysis.

A feasibility study to determine whether a southeast Alaska and Yukon economic development corridor could increase telecommunications and transmission capability to Yukon and Skagway is nearing completion. The investigation of engineering constraints is complete. The final report

suggests that the transmission line is technically feasible; however, coupling to the telecommunications line will not be.

There is no economic case for buying power from a hydro facility at West Creek at this time; however, there may be an economic case for Yukon to sell power to the municipality of Skagway for distribution to the cruise ship industry until such time that West Creek is constructed. It's my understanding that the West Creek project still requires flow testing and other aspects before that work can be done.

Yukon government has undertaken strategic initiatives in implementing both the climate change strategy and the *Energy Strategy for Yukon*. Implementation of the microgeneration policy, which was completed in 2013, is providing opportunities for residential and commercial electricity customers to generate electricity.

The microgen production incentive program was launched in 2014 and 10 solar electric systems have been installed since March, totalling 24.4 kilowatts of capacity. They are expected to generate more than 24,000 kilowatt hours per year.

As of January 2015, over 7,400 clients had participated in the Energy Solutions Centre's good energy rebate program, contributing to the program's projected lifetime savings of approximately 19 million kilowatt hours of electricity, 11 million litres of displaced oil consumption and 35,000 tonnes of carbon dioxide emissions.

The program has been running for more than eight years. On January 1, 2015, the Energy Solutions Centre launched a major new expansion to its programs, aimed at increasing the energy efficiency of new and existing Yukon homes through the improvements to building envelopes. The program is called the residential incentive component.

In 2014, the public had a chance to review and contribute to a draft IPP policy. This policy will enable small producers to generate power and contribute to present and future territorial power demands. It's expected to be finalized this year.

Championed by the Energy Solutions Centre, the Old Crow community energy plan is in the final stages of development and should be released in 2015. Development of another plan is underway for the Village of Haines Junction and the Champagne and Aishihik First Nations.

Madam Chair, there are a couple of other 2014-15 accomplishments that I would like to highlight; however, seeing the time, I move that you report progress.

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

*Motion agreed to*

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

**Chair:** It has been moved by Mr. Elias 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:** Mr. Speaker, Committee of the Whole has considered Bill No. 16, entitled *Third Appropriation Act, 2014-15*, and directed me to report progress.

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

**Some Hon. Members:** Agreed.

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

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

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

*Motion agreed to*

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

*The House adjourned at 5:27 p.m.*