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HANSARD

Tuesday, April 23, 2024 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2024 Spring Sitting

SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Lane Tredger, MLA, Whitehorse Centre

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Hon. Ranj Pillai	Porter Creek South	Premier Minister of the Executive Council Office; Economic Development; Minister responsible for the Yukon Housing Corporation
Hon. Jeanie McLean	Mountainview	Deputy Premier Minister of Education; Minister responsible for the Women and Gender Equity Directorate
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Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Safety and Compensation Board
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Hon. Sandy Silver	Klondike	Minister of Finance; Public Service Commission; Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission

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Yukon Party

Currie Dixon	Leader of the Official Opposition Copperbelt North	Scott Kent	Official Opposition House Leader Copperbelt South
Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Yvonne Clarke	Porter Creek Centre	Geraldine Van Bibber	Porter Creek North
Wade Istchenko	Kluane	Stacey Hassard	Pelly-Nisutlin

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Takhini-Kopper King
Lane Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

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Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, April 23, 2024 — 1:00 p.m.

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of a change made to the Order Paper. The following motion has been removed from the Order Paper at the request of the member: Motion No. 684, standing in the name of the Hon. Premier.

DAILY ROUTINE

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

Are there any visitors for introduction?

INTRODUCTION OF VISITORS

Hon. Mr. Clarke: Mr. Speaker, in honour of the tribute for Sikh Heritage Month, I have guests to introduce. We have: Navdeep Kaur, who is the president of the Guru Nanak Sikh Organization of Yukon; Inderjit Singh, who is the vice-president of the Guru Nanak Sikh Organization of Yukon; Raman Grewal; also Hardeep Singh; Tarandeep Singh; and Taranpreet Singh. Welcome to the Assembly.

Applause

Hon. Mr. Mostyn: Mr. Speaker, in our tribute to the *Whitehorse Star* today, we have one or two people, and I would like to introduce them. We have Angela Salé-Roche, Michele Pierce, Jessica Pierce, Melanie Pierce, Joni Pierce, JJ Stuckey, Chris Freeman, the magical press fellow Don Campbell, John Stuckey, Rhonda Glen, Judy Gibbons, John Tonin, Robbie Stuckey, Jim Butler — the editor — Tamara Carter, Natasha Stuckey, and Stephanie Waddell — former reporter. We have the sharp-eyed Mike Thomas, Mickey Morgan, and Vince Federoff — the illustrious Vince Federoff up in the corner. Please join me in welcoming them to the House this afternoon.

Applause

Ms. White: Mr. Speaker, I ask my colleagues to join me in welcoming Murray Lundberg, who is here and is always a delight, but I imagine that he is here because he documents the goings-on of the territory. So, thanks for being here, Murray.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of Sikh Heritage Month

Hon. Mr. Clarke: Mr. Speaker, I rise to pay tribute to Sikh Heritage Month. Here in the Yukon where diversity is celebrated and cherished, we recognize the invaluable

contributions of the Sikh community to our territory's rich tapestry of cultures.

As we delve into the significance of Sikh Heritage Month, it is crucial to acknowledge the profound impact that Sikh Canadians have had on shaping our nation's history. From the early pioneers who ventured to Canada seeking new opportunities to the present-day leaders in various fields, Sikhs have left an indelible mark in our society.

In the Yukon, our Sikh community plays an integral role in our social, economic, and cultural fabric. They continue to be a part of our vibrant, multicultural landscape, enriching it with their traditions, values, and unwavering spirit of service. Moreover, Sikh Heritage Month provides us with a valuable opportunity to reflect on the principles of equality, justice, and compassion that lie at the heart of Sikhism. The teachings of Guru Nanak, the founder of Sikhism, resonate deeply with our shared values of inclusivity and respect for all individuals, regardless of their background.

As we commemorate Sikh Heritage Month, let us reaffirm our commitment to fostering understanding, acceptance, and unity within our diverse communities. We would also like to acknowledge the recent significant community celebration of Vaisakhi, the Sikh new year, and the traditional spring harvest festival. By embracing diversity and celebrating our differences, we not only honour the legacy of Sikh Canadians but also strengthen the social fabric of our territory.

Mr. Speaker, I would like to take this opportunity to honour Joginder Grewal, who just passed away at the age of 97. He was also the father of Raman, present today. Joginder was an inspiration and mentor to me and to many Yukoners over the past 25 years for his thoughtful, insightful, and contemplative life philosophy, his masterful public gardening over so many seasons, and his purposeful active living for almost 100 years. He was a pillar of the Yukon Sikh community and he will be sorely missed.

In closing, I urge all Yukoners to take this month as an opportunity to learn about Sikh history, culture, and traditions. Let us come together to celebrate the contributions of Sikh Yukoners and Canadians and to reaffirm our commitment to building a more inclusive and equitable society for all.

Thank you, Mr. Speaker, for the opportunity to recognize Sikh Heritage Month and to celebrate the remarkable contributions of the Sikh community to our great territory.

Applause

Mr. Dixon: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize Sikh Heritage Month, which celebrates the rich cultural traditions and contributions of Sikh Canadians and honours their spiritual traditions and teachings. Equality and justice are the focus of those enduring values and traditions, and the importance of fostering an inclusive and compassionate society is embraced around the world.

Sikh heritage is celebrated in April and marks the Sikh celebration of Vaisakhi, which is celebrated both as a harvest festival and a religious event. Vaisakhi marks the commemoration of Khalsa, the Sikh community, and is a

reminder of the fundamental teachings and values of Sikhism, including compassion, unity, and equality.

Mr. Speaker, I am told that the Yukon is now home to over 1,000 Sikhs and that attendance at the gurdwara is increasing quite rapidly as the population grows. As well, there is currently a campaign going on to collect funds to expand the existing building of the gurdwara and accommodate the needs of the community.

The local Vaisakhi celebration is held on April 13 and 14 here in Whitehorse and includes fundraisers both for those renovations and for the Whitehorse Food Bank.

There are so many fun and beautiful traditions to be offered from our diverse population of Yukoners and I encourage all to take this month as an opportunity to learn and appreciate during this Sikh Heritage Month.

I would like to thank all Sikh Yukoners for their contributions to our territory and for sharing your beautiful traditions and teachings with us. We are honoured to celebrate Sikh Heritage Month with you.

Applause

MLA Tredger: Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate Sikh Heritage Month, a recognition of the profound impact that Sikh Canadians have had on the economic, social, and cultural fabric of Canada. The theme for this year's Sikh Heritage Month is "Chardi Kala". Chardi Kala is a concept in Sikhism that describes a state of joy, optimism, and resilience. The idea comes from the Punjabi words "Chardi", which means "rising" or "ascending", and "Kala", which means "skill" or "condition". Together, these words describe a state of being with a positive and uplifted mind even in the face of challenges, difficulties, and adversities.

Chardi Kala is deeply rooted in Sikh teachings. It is considered a virtue and an integral part of the Sikh way of life. I think of Yukon's own Gurdeep Pandher and the beauty and joy in his dance teachings as the perfect example of bringing people together in the spirit of Chardi Kala.

I would also like to speak about why Sikh Heritage Month is in April. Vaisakhi is the celebration of the new year in the Sikh tradition, falling on April 13 or 14. It has been celebrated for hundreds of years in India, marking the first harvest of the season in the north. It is a day of prayers at the gurdwara and a day of celebration with parades, floats, singing, dancing, and music. The night before Vaisakhi, families will gather together to cook as much food as they can. Serving free food to the community is an important practice in Sikhism, and it is a major part of the celebration of Vaisakhi to set up booths along the parade route to offer free food and drinks to anyone and everyone. It is a joyous and welcoming day for all who wish to attend.

The Vaisakhi event in Surrey, BC is the largest in the world and is so well-known that people from all over the world, including India, come to attend the parade. This year saw more than half a million people coming together to celebrate, sing, dance, eat, and play music, and another 200,000 people went to the South Vancouver Vaisakhi parade.

The earliest history of Sikhs in the Yukon goes back well over 100 years, with photos of Sikhs helping with the railroad construction in 1906 in and around Whitehorse and Carcross. By the late 1960s and early 1970s, there were many families putting down roots in Faro. The Guru Nanak Sikh Organization of Yukon was established in 1988, and in 2021, the members of the Sikh community set up the Yukon's first permanent gurdwara.

Sikhism is grounded in values of service, compassion, and equality, valuing community, connection, and support. We are fortunate to have this vibrant community as part of the Yukon.

Sat Sri Akal to everyone.

Applause

In recognition of the *Whitehorse Star*

Hon. Mr. Mostyn: Mr. Speaker, we are talking about inkstained wretches today — the *Whitehorse Star* and its staff specifically and newspapers generally. I am paying tribute to a rival I had the privilege of honing my pen against for 21 years. Ours was perhaps one of the last great newspaper wars, an epic worthy of song or at least 450 words of copy. Whitehorse's two newspapers fought for readers and advertisers, breaking stories, writing thought-provoking editorials. Without competition, it wouldn't have been as fun, Jim Butler told me this week.

Butler is the *Whitehorse Star's* last editor. He was in the news business for 46 years. A pool of talent ran through his newsroom: John Dunn, Mike Thomas, Caroline Murray, Sherryl Yeager, Stephanie Waddell, Chris Reynolds, Chuck Tobin, John Tonin, the ubiquitous Vince Federoff, and dozens more. This doesn't include the paper's press, ad, administration, delivery, and all those staff who go into producing and delivering a paper every single day.

Butler guided the locally owned *Whitehorse Star* for 43 years, starting the year that IBM built the world's first PC powered by a new firm, Microsoft. I heard Butler was once considered one of the best editorialists in the country, capable of running the national *The Globe and Mail*. Few in Whitehorse know this, but together, our newsrooms had almost as many cityside reporters as the *Vancouver Sun*, which covered millions of people. It's remarkable.

Friday editions saw our fiercest competition. Butler would read both, including the weekly editorials, and assess the good from the bad and the ugly. How lucky Whitehorse was to be served by two strong papers, he told me. That ends too soon. On May 17, another Friday, the Pierce family — Michele, Melanie, Joni, Jessica, and Judy Gibbons, who have been carrying the legacy of their late mother, Jackie — will publish their final *Whitehorse Star*, ending its 124-year run. The Pierce family fell victim to the existential problem common to newspaper owners: a tsunami of change called the "digital revolution."

There is much to rage against in the closure of the *Whitehorse Star*, including the loss of yet another source of edited, verified information in a time when that isn't always the case; the loss of a historic institution that served and bound our

community together; and the loss of a long, tenacious rivalry built on mutual respect.

Butler enjoyed that philosophical battle for readers' hearts and minds and considered it a public good, and so did I. At its height, two editors duked it out in papers that were often 80 pages or more in size. Butler won't say who was the better writer, thinker, planner, recruiter, or manager — in short, who was the better newsroom editor, and neither will I.

I will say that the community will be less without the *Whitehorse Star*. Illegitimus non carborundum.

Applause

Ms. Van Bibber: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to pay tribute to the *Whitehorse Star*. Being in business for 124 years is to be honoured and acknowledged. With mixed feelings, Yukoners are still absorbing the news of closure and the last edition coming soon.

Fondly known as “the *Star*” with its iconic logo, Illegitimus non carborundum, that Harry Boyle, in 1954, then-owner, incorporated into the logo — loosely translated from Latin and so Yukon.

On Friday, I went to the *Whitehorse Star* office and really looked at the sign outside. I would be a terrible witness for anything. It's the first time I noticed that it says, “Voice of the Yukon”, and this has been true for 124 years. The editors gave us opinions, the reporters gave us stories of interest, the photographers captured images, locals wrote letters to the editor, and there were ads for sales, movies, and local events. One grabbed a copy to see if their event or story was put into print.

The chronicles that were captured and archived will be treasured — two World Wars, the Alaska Highway build, military presence, land claims, visiting royals and dignitaries, political stories, and everything in between one could read in the *Star*.

A shout-out to Murray Lundberg, who researched some stories that had a huge impact on Yukon: May 2, 1904, the Klauane Gold Rush began; November 15, 1918, the end of the World War; March 12, 1951, the federal government has officially announced that the territorial government will move from Dawson City to Whitehorse; March 26, 1963, Ralph Flores and Helen Klaben have been rescued 49 days after their plane crashed southeast of Watson Lake; Edith Josie's “Here Are the News”, unedited, and just as she spoke, she wrote and we learned about life in Old Crow; wedding and birth announcements; the obits; and a column of great interest, “Before the Magistrate”. It unabashedly pointed out the wrongdoings of local residents and their sentences imposed. Privacy was not known — we knew and it was just confirmed in the *Star*.

Special full-photo issues were printed for the Sourdough Rendezvous. I have several in my collection. We had updates on rural community events submitted by locals about bonspiels, carnivals, and various happenings. This tribute will never do credit to all that championed the *Whitehorse Star* through the decades.

Thank you to everyone who documented Yukon history for the paper — too many to mention — but there are a special few: editor Jim Butler, 43 years; photographer/reporter Vince Fedoroff, I think 50 years; and the girl at the front desk — my favourite — Rhonda Glenn, who for years has given the best hugs and smiles; the late Jackie Pierce, 50-plus years — she began in 1972 and bought the paper in 2002.

To the Pierce family who grew in the business, thank you for staying as long as you could. I for one will miss the ritual of getting the *Star*. A quote by Will Rogers: “A company is known by the people it keeps.” Illegitimus non carborundum — “Don't let the bastards grind you down”.

Thank you, all.

Applause

Ms. White: Mr. Speaker, I rise today on behalf of the Yukon NDP to mark the end of an era. For the last 124 years, Yukon life has been documented and shared through the pages of the *Whitehorse Star*. Since 1900, the *Northern Star*, the *White Horse Star*, the *Whitehorse Daily Star*, and finally the *Whitehorse Star* have had boots on the ground reporting on what matters most to Yukoners.

In the weeks since the *Star* announced the shutting down of the presses, there has been an outpouring of stories and gratitude from all corners of the globe. With many young journalists getting their start at the *Whitehorse Star*, the stories shared have been funny, poignant, heartwarming, and far-reaching.

There are generations of Yukoners like myself who have only ever had life that included *Whitehorse Star*, and there are many others like me whose very first job was delivering newspapers in their neighbourhood, dodging dogs, slogging through the weather — rain, heat, and snow.

No matter how long you lived in the Yukon, you've been touched by the *Whitehorse Star* — from sports coverage to beautiful obituaries, stories on a matter of all local issues to colourful ads on the back pages, the *Whitehorse Star* has grown alongside many of us.

I want to add our thanks to the editors, reporters, photographers, publishers, printers, and each and every person who has had a hand in breathing life into this locally owned and operated independent newspaper.

Mr. Speaker, I want to add a special thank you to Vince Fedoroff, because Vince has been capturing anything of note or interest in the capital city since 1974. I will note that I wasn't thinking that I would have feelings when you all walked in, but the impact that you have had has been incredible but especially Vince, because if there was any type of event — sporting, cultural, or otherwise — you are guaranteed to see Vince and his camera. There isn't anywhere that he won't go or hasn't gone to capture the lives of Yukoners. For 50 years, Vince has beautifully captured us through hundreds of thousands of images. His career has been truly remarkable.

Again, a huge thanks to all of those who put your heart, your soul, your sweat, and your tears into this Yukon media legend and for recording the lives of Yukoners. Of course, I

can't not end with: You mustn't let the bastards grind you down.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Silver: Mr. Speaker, I have a legislative return from our time in Committee of the Whole for the Public Service Commission.

Hon. Mr. Mostyn: Mr. Speaker, I have a letter dated April 22, 2024 to the mayor and council.

Speaker: 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

Mr. Cathers: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Yukon government to work with the Ibex Valley Local Advisory Council to develop an emergency plan for the area to address potential threats to the community, including the risk of wildfire, as requested by the Ibex Valley Local Advisory Council.

Hon. Mr. Clarke: Mr. Speaker, I rise to give notice of the following motion:

THAT this House supports the Government of Yukon's efforts to secure \$31.125 million USD through the statewide transportation improvement program for upgrades to the north Alaska Highway.

Ms. White: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to begin engaging with stakeholders and the public on how to make the land lottery process more fair.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to consult with transgender and gender-diverse Yukoners and relevant organizations when reviewing policies related to gender-affirming surgery and care.

MLA Tredger: Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Canada to work with other countries to negotiate an agreement for the elimination of global plastic pollution by 2040.

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

QUESTION PERIOD

Question re: Whistle Bend development subsurface water

Mr. Dixon: Mr. Speaker, yesterday when my colleague asked the Minister of Community Services about the phase 7 lots that will be put out to tender in May, the Minister of Community Services directly contradicted the technical report that was commissioned by his own department. He said that he had information that showed that the water that was causing issues was naturally occurring. The technical report, however, says — quote: "Presently it is anticipated that this water flowing through the deep utility pipe bedding is not naturally occurring and may be a result of municipal water leaks."

Can the Minister of Community Services confirm which is true? Does he indeed have information that suggests that the groundwater issues in phases 6 and 7 in Whistle Bend are naturally occurring, or should we believe the technical reports?

Hon. Mr. Mostyn: Mr. Speaker, I am happy to answer questions on the lot development that this government has undertaken on behalf of the territory. We have made a record investment in lots and we are going to continue to do that.

The Whistle Bend phase 7 lottery and tender for 130 new lots and six re-released lots have just been launched. The Land Development branch provides foundation design bulletins for each phase of Whistle Bend. This isn't new; we have been doing it for years and years. These professional reports are released with each lottery as a resource to builders in the City of Whitehorse.

The phase 7 foundation design bulletin notes that groundwater was not encountered in any test pits or bore holes and that no water in the pipe trench zone has been observed to date. The bulletin does acknowledge that water could be encountered and that builders should be prepared to mitigate, if required. Trench-plug mitigative measures to reduce water conveyance in the pipe zones have been installed in each phase.

Mr. Dixon: Mr. Speaker, I note that the minister didn't answer my question.

The reason I asked, Mr. Speaker — it's important because the source of potential water matters when it comes to liability. In phase 6, which is right next to phase 7, the technical bulletin points out that water has been noted running through deep utility trenches. The phase 7 technical bulletin says that it anticipates that this water is not naturally occurring and that it may be coming from municipal water leaks.

My question is simple: Who carries the legal liability for any damage that subsurface water does to a home in this area? Is it the City of Whitehorse, the Yukon government, the contractor who installed the leaking pipes, or the developer who actually built the home on the lot?

Hon. Mr. Mostyn: Mr. Speaker, as the member opposite has noted, it's a complicated matter. I mean, who bears the responsibility for a pipe that was not connected to the municipal well properly? This is something that would have to be investigated on a case-by-case basis. I'm certainly not going to speculate here on the floor of the House.

What I can say is that, once again, the phase 7 foundation design bulletin notes that groundwater was not encountered in

any of the test pits or bore holes and that no water in the pipe trench zone has been observed to date.

I have corresponded with the MLA for the region. We have gone through this. The member opposite has this technical report that we issue every single year. We provide it so that builders know what they are dealing with when they build in these areas, because they vary from subdivision to subdivision.

We are going to continue to do that work. We have advised builders that they may run into water if the connections are not there. The tests that we're doing in Whistle Bend suggest that everything is fine. That's where we're at.

Mr. Dixon: Mr. Speaker, well, the information that the department has provided suggests that there is water causing problems in phase 6 and the bulletin suggests that it could be a problem in phase 7 as well.

When we asked about this in the Legislature yesterday, the Minister of Energy, Mines and Resources confirmed that there's an active investigation underway to determine the source of the subsurface water in the area. The minister correctly pointed out that there's a big difference in what it means for liability if the water is simply naturally occurring groundwater or if it's leaking from municipal infrastructure that was installed by a contractor working for Yukon government.

If this investigation is underway and we don't yet know the answer to this important question about the source of the water, will the minister commit to concluding that investigation and communicating its results prior to any of these lots being sold to Yukoners in just a few weeks' time?

Hon. Mr. Mostyn: Mr. Speaker, as my colleague noted yesterday, the people who buy lots in Whistle Bend want the time to buy the lots and pull together their financing to find contractors to build on the lots. I know the member opposite is raising this report. The report is produced every single year to advise builders about the lay of the land in the subdivision. As I've noted in my report, there was groundwater. We have investigated that. We found that nothing in the municipality infrastructure is at fault, and really, what we're talking about, as I've told the member opposite in correspondence, is that there was a connection problem from a contractor to the municipal infrastructure. That has been fixed, as far as I know, and we're looking forward to a solid building season this year in Whistle Bend.

Question re: Educational assistants

Mr. Kent: Mr. Speaker, yesterday when we asked the Minister of Education about the consultant's report on EA allocations that led to the proposed changes that her department was pushing, the minister refused to commit to share that report before the scheduled meeting with affected stakeholders later this week.

We then learned that the groups had requested the report through access to information, and the result of that ATIPP was a copy of the report with just about every single page completely redacted.

Then yesterday at 3:08 p.m., the Liberals finally relented and provided a complete copy of the report. So, Mr. Speaker, why did it take so much pressure and questions in the

Legislature for the minister to finally relent and share that report with education stakeholders?

Hon. Ms. McLean: Mr. Speaker, again, I'll go back in time a bit and just create some context around the EA allocation work that is underway that really relates back to the 2019 Auditor General's report and the work that we did on reimagining inclusive and special education that came from the Dr. Nikki Yee report that I became in receipt of in 2021. We have worked very closely with all of our partners to identify all of the pathways to reimagine inclusive and special education.

Part of that was to work toward reviewing and work toward the changed process for EA allocation. Part of that, of course, includes doing research, ensuring that we are working with all of our partners. The department worked with a contractor to develop a report. We were working internally to do due diligence to make sure that we are working in the way that we've always committed to Yukoners to work — happy to continue to do this good work around EA allocation.

Mr. Kent: Mr. Speaker, we are pleased that the due diligence was coincidentally concluded yesterday afternoon after we asked about this in the House. We are glad the minister has finally shared the consultant's report that these education stakeholders have been asking for since they first wrote to the minister back on March 6. However, that wasn't the only piece of information the groups were seeking. The groups have been pushing without luck for comprehensive information about the specific feedback from stakeholders that was relied on by Education as a rationale for making these changes. As well, they have requested without success comprehensive data that the department has referenced that supposedly justifies these changes to the EA allocation process.

My question is: Will the minister agree to provide all of the information that has been requested by these stakeholders in advance of their meeting later this week?

Hon. Ms. McLean: Mr. Speaker, again, we are very pleased to be doing this work in a good and right way to be thorough to actually address the issues of the Auditor General's report of 2019. I note that there was another Auditor General's report that the Yukon Party was responsible for. There were many staled, failed attempts to actually do the right work. So, we now have their report card. We have a report from 2019 that we are working very hard to address. The Member for Lake Laberge can continue to snicker and laugh at this good work that is being done. I hold up the work of our Department of Education. They are working hard, and we continue to be committed to working with our partners. Part of that is doing due diligence and making decisions in a good and right way. I will continue to work in that way and to work directly with our partners in education.

Mr. Kent: Mr. Speaker, once again, we are asking the minister to share the information that is requested by the stakeholders before the meeting that they had at the end of this week. There is a pattern developing with this minister about secrecy around information, whether it is these reports or embargoed reports with respect to the Whitehorse Elementary School.

School councils are beginning to wonder whether the changes that the minister was planning will actually come into force this year or not. They are particularly concerned about what the changes will mean for their EA allocations for the next school year. This is the time of year when school communities are given their allocation of both teachers and EAs for next year, and we have heard that the minister's pause has created uncertainty.

So, will the minister commit to a clear timeline that this issue related to changes to the EA allocation process will be resolved, and will she share that timeline with affected groups prior to the meeting later this week?

Hon. Ms. McLean: Partners and stakeholders asked us to take urgent action to implement the RISE agenda. This included conducting a review of the current EA allocation process. There has been a tremendous amount of work that has gone into this. I absolutely accept that, earlier in this session, information was brought forward by our partners with concerns. I took the step of pausing the work on any changes or modifications to the EA allocation so that we could really understand, unpack that, and work with the Association of Education Professionals and the other stakeholders who brought forward concerns.

We have been working with all of the stakeholders to initially have meetings with them. There was a decision from the stakeholders to work together in a meeting. We are now working toward moving forward with this important conversation with all of our trusted stakeholders on April 25. This will be a facilitated conversation, and I am looking forward to the results of this.

Question re: YESAB review of Yukon government infrastructure projects

MLA Tredger: On April 11, the Minister of Highways and Public Works issued a statement highlighting the significant construction work being done at the Erik Nielsen Whitehorse International Airport. Improved lighting, runway reconstruction, new facilities, a new access road, and improved drainage are among the upgrades listed. Much of this work is taking place in or immediately adjacent to two gulches that drain into the Yukon River. A portion of one of those gulches is being filled in, community assets like trails are being permanently rerouted, and significant clearing of forests and earthworks are needed as part of the project.

Projects like this typically trigger a YESAB assessment to look at environmental and social impacts, but for some reason, this project was not assessed by YESAB before it started. Can the minister explain why the work being done at the airport was not assessed by YESAB?

Hon. Mr. Clarke: There is no intention of stopping any sort of access in Puckett's Gulch, but in any event, Highways and Public Works has been working collaboratively with Community Services to develop a collaborative structure to work seamlessly toward active transportation initiatives.

So, with respect to the airport, it's a two-year project. As we know, the parallel runway is now complete and will be the only runway at Erik Nielsen Whitehorse International Airport

for this season. The plan is to finish half of the main runway in the summer of 2024, then reopen the main runway in October 2024, and then, in October again, we'll be back to the parallel runway in the summer of 2025 and complete the main runway at that point.

MLA Tredger: I'm trying to understand why this government didn't do a YESAB assessment before the airport was done or started.

The *Yukon Environmental and Socio-economic Assessment Act* regulations explicitly include airport lighting as an assessable activity. It also states that projects on Crown land where there is moving of earth or clearing of land trigger an assessment. Anyone who has driven by the airport lately can vouch that this is exactly the type of work that is going on both inside and outside the existing airport boundary.

I want to be clear: These are important upgrades to help modernize the airport and we support them, but the environmental and social impact assessments are also important and they haven't happened. Why was the airport reconstruction project not assessed by YESAB when it clearly fits the description of projects that trigger an assessment?

Hon. Mr. Clarke: So, I can certainly get back to the member opposite with respect to YESAB with respect to this \$250-million major infrastructure project brought to the territory.

In 2023, progress made on the main runway included preparation for the main runway construction. As I indicated, major reconstruction work will begin on the main runway this upcoming 2024 construction season. Work is expected to include reconstruction of the north half of the runway, which will include rubblization of the existing asphalt and concrete surface, placing new base material and placing new asphalt pavement, installation of new edge lighting, installation of a new storm drainage system, the construction of a new taxiway F, and adjustments to the north perimeter service road.

Over the coming years, the main runway will be fully replaced with additional features: increased lighting and the improved drainage.

We have engaged closely with aviation stakeholders to minimize the impacts on their operations during the construction period. On August 3 and September 28, 2023, information sessions were hosted for aviation and tourism stakeholders respectively about the project. Both sessions were well-attended and provided the opportunity to ask questions about the project.

MLA Tredger: Section 51 of YESAA states that if any part of a project needs to be assessed, the whole project needs to be assessed. This work has potentially significant repercussions for the natural area of Whitehorse from increased light pollution at night to effects on the gulches draining into the Yukon River to substantial loss of tree cover that may contribute to further erosion of the clay cliffs. Without a YESAB assessment, we can't say for sure what these effects might be. None of these potential impacts appear to have been studied or assessed before the project was green lit by this government. That is surprising given that this minister called this project one of the largest capital projects in Yukon history.

Can the minister tell Yukoners if there are any other major Yukon government infrastructure projects that have not been assessed by YESAB?

Hon. Mr. Clarke: Mr. Speaker, thank you for the question from the member opposite. I would just first and foremost indicate that, probably about a week ago, a full ministerial statement was offered and both opposition parties said no to that.

With respect to the question about YESAB, I will certainly get back to the member opposite.

However, what is embarrassing was the record of the Yukon Party and their capital projects from 2002 to 2016 but certainly incredibly embarrassing from 2011 to 2016. They got, in 2010-11, \$74 million out the door. In 2011-12, it was \$62 million out the door. In 2012-13, it was \$70 million out the door. In 2013-14, it was \$70 million. Then there was a massive year, 2014-15, with \$77 million out the door.

Last year, the Highways and Public Works capital budget — actually out the door — was \$313 million.

Speaker's statement

Speaker: Order, please.

I just want to remind members that when members have the floor, please be respectful and mindful. Thank you.

Question re: Mining legislation

Mr. Istchenko: Mr. Speaker, the Mining Association of Canada has concerns with the federal Liberal budget; however, they also had some positive things to say about it. They are supportive of provisions to reduce timelines for new mines and other major projects — and I quote: “The government set a target of five years or less to complete federal impact assessment and permitting processes for federally designated projects, and two years or less for permitting of those that aren’t federally designated.”

However, here in the Yukon, the assessment board is reporting delays and that some proponents can expect extension timelines as a result. Funding for the YESA board comes from the federal government. So, have the Yukon Liberals reached out to the federal Liberals to see how they will ensure that our permitting timelines align with those that they have promised in other jurisdictions?

Hon. Mr. Pillai: Mr. Speaker, yes, we had discussions this week on Monday morning with Minister Vandal for Northern Affairs on a couple of topics, one being that we, of course, were looking to see what the plan is for amendments to YESAA to ensure that there is some streamlining and processes. There is a subcommittee of ministers right now whom we have been in dialogue with in December and again in January which is focused on ensuring that there is a reduction in red tape. It does apply to support that we would be looking for around the YESA act.

This goes back as well, as the member opposite speaks to, under Minister Bennett, which was a commitment to increase funding to First Nations. I think that there was some money that flowed, but I want to come back and just verify that for the House, but I think that most First Nations would say that

increased funding to the lands department would be something that they would be happy to see.

So, we are continuing to bring that up — the increased funding — but, also, we brought up the fact that there needs to be appropriate capacity, especially on district office screenings at this time, and that we are concerned with the communication coming out of YESAB and that we believe the federal government has a grave responsibility in ensuring that this is streamlined and that the right messages are being sent around to industry and how we go through regulatory processes.

Mr. Istchenko: Mr. Speaker, this is important. These are families who feed their children, and they have to go through this. They have to follow this permitting process — if they don’t happen, they can’t work.

So, of course, the assessment is only one aspect of permitting major projects here in the Yukon. The quartz mining licence and a water licence are also required for many projects to proceed. Those are the responsibility of the Yukon government and are often lengthy processes once the assessment has been completed.

So, what measures will the Yukon government introduce to their licensing process to make sure that the overall timelines are reduced and attempt to match the commitments made by the Liberals in Ottawa?

Hon. Mr. Pillai: Mr. Speaker, I think that it is important that we provide accurate information. The preamble — there is an adjustment that I think is required when we talk about a water licence, because it is a tripartite process, and there is a role with the federal government on appointments as well as working with First Nations.

You know, it’s not the same sort of a governance structure as a quartz mining licence. I think the member across knows that. You don’t have the same ability to effect efficiencies.

But, yes, I think when we look at the QML process — quartz mining licence — which is, of course, the next step after a successful process through YESAA and a decision document that can prove out a project — I would say that there are always ways for us to tweak that. There is some work that has been done through the Executive Council Office. I’m not ready today to speak to that, but the entire focus of it was to look at reducing red tape within those processes.

Again, we have signed — there was a previous MOU signed between the Executive Council and the Water Board. I have gone back and now, in this role, have met with the Water Board chair and the Water Board and again have focused on looking at efficiencies in both of those processes.

Again, working with the federal government, the chair of that subcommittee is Minister O’Regan. We co-chaired the mines ministers table a number of years ago, and I have urged him to ensure that he focuses on red tape reduction in the mining industry here in the Yukon.

Question re: Resource Gateway project

Mr. Hassard: Mr. Speaker, in a news release from 2021, the Yukon government announced a funding agreement with Canada for the Yukon Resource Gateway project. This release states — and I’ll quote: “The contribution follows the

successful completion of six project agreements to date with Yukon First Nations for components under the Yukon Resource Gateway Program. Each of the project agreements identifies training, employment and business opportunities for First Nations citizens and businesses to ensure communities benefit from these infrastructure upgrades.” The overall value is listed at \$359 million. So far, the only shovels that have been in the ground have been for the Carmacks bypass.

Now, the five-year capital plan has total expenditures of \$140 million through 2028-29. Is the minister confident that the entire envelope will be spent before the project agreement expires in 2031?

Hon. Mr. Clarke: We certainly do have — there was a renegotiation to go to 2031. I certainly commend Pelly Construction and the Little Salmon Carmacks First Nation on the Resource Gateway program, which was completed under time and underbudget. Conversations are continuing with the Ross River Dena Council with respect to completing portions of the road between Faro and Ross River — there is both the small portion and then a lengthier portion there.

There are discussions with the Little Salmon Carmacks First Nation on the Robert Campbell Highway, discussions with the Na-Cho Nyäk Dun on the Silver Trail — but what is important is that there are initial agreements that are in place with respect to the six projects, but ultimately, there has to be a community development agreement or a project agreement in place. Those discussions continue. The officials from Highways and Public Works continue those discussions, and we are certainly hopeful to continue with those discussions and to bear fruit in the right way.

Mr. Hassard: So, no commitment from the minister to have that money spent before the agreement expires. He did mention the project between Ross River and Faro. As that is of particular interest to my constituents, the minister’s fall 2023 briefing note says — and I’ll quote: “The YESAB assessment is complete and permitting is in place for a portion of the project near Ross River (km 363.6 to km 367.5), which will allow work to proceed for this section of the component.”

The aim was to tender this work in the 2023-24 fiscal year. Did the project get tendered during the last fiscal year, and if so, how much was the successful bid, and is there more work expected to start this summer?

Hon. Mr. Clarke: As the member opposite indicated, in April of 2020, a project agreement for this component of the Robert Campbell Highway was signed for two projects within the traditional territory with the Ross River Dena Council. The project agreement is for construction and resurfacing of the Robert Campbell Highway from kilometre 354.9 to kilometre 414.4 as well as bridge replacements, line-of-sight improvements, and brush-clearing on the North Canol.

The department is working with the Ross River Dena Council to advance the Robert Campbell Highway component of the project. Right-of-way clearing contracts have been awarded for this component of the Robert Campbell Highway. This was a direct-award contract to a Ross River Dena Council citizen-owned company. This portion of clearing work has been completed. As the member opposite did indicate, the YESAB

assessment is complete and permitting is in place for a portion of the project near Ross River from kilometre 363.6 to kilometre 367.5, which will allow work to proceed for this section of the component. In 2023, the Yukon government continued to work with the Ross River Dena Council to implement the project agreement and to determine the next steps of this project together. The aim is to tender work to advance the construction of this four-kilometre component for this year.

Mr. Hassard: Mr. Speaker, I appreciate the information from the minister, but I still have to go back to that very first question that I asked. Will the minister confirm if he is confident that the entire envelope will be spent before the project agreement expires in 2031?

Hon. Mr. Clarke: Mr. Speaker, thank you for the question from the member opposite. I certainly have confidence that the funds will be expended. However, as I indicated in my first response, it involves having fruitful discussions — fruitful and respectful government-to-government discussions between the Government of Yukon and the impacted First Nations. We are doing that. We have done that with respect to the Erik Nielsen Whitehorse International Airport with Ta’an Kwäch’än and with Kwanlin Dün. We entered into those discussions with Little Salmon Carmacks First Nation on the Carmacks bypass. As I indicated in my first response, we are also doing so with Little Salmon Carmacks First Nation, Ross River Dena Council, and the First Nation of Na-Cho Nyäk Dun. Na-Cho Nyäk Dun — these conversations are moving forward. They are taking time, but we are going to do them in the appropriate manner, and we are more than optimistic that they will bear fruit both for this construction season and for the construction season going forward.

So, yes, we are grateful that these resources are available, but they have to be deployed in the correct manner.

Speaker: The time for Question Period has now elapsed. Introduction of visitors outside proceedings.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: Mr. Speaker, I just want to welcome a couple of individuals who are here with us today. They have been key leaders on the work on the Yukon *Health Authority Act*. I would like to welcome to the Assembly Stephen Mills and Doris Bill. Thank you for being here today.

Applause

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

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Committee of the Whole will now come to order. The matter before the Committee is continuing clause-by-clause consideration of Bill No. 38, entitled *Health Authority Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 38: *Health Authority Act*

Chair: The matter before the Committee is continuing clause-by-clause consideration of Bill No. 38, entitled *Health Authority Act*. We are currently considering the amendment as proposed by the Member for Lake Laberge to clause 74.

On amendment to Clause 74 — continued

Chair: Is there any further debate?

Hon. Ms. McPhee: Thank you for the opportunity to speak to this. Just briefly at this point this afternoon, I note that we have received some additional information just moments ago. I am currently trying to consider the impact of that information.

As a result, I move that you report progress.

Chair: It has been moved by the Member for Riverdale South that the Chair report progress.

Motion agreed to

Chair: The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 213, entitled *First Appropriation Act 2024-25*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 213: *First Appropriation Act 2024-25* — continued

Chair: The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 213, entitled *First Appropriation Act 2024-25*.

Department of Community Services — continued

Chair: Is there any further general debate?

Hon. Mr. Mostyn: Madam Chair, I have been informed that I have seven minutes and 33 seconds left, but you know what? I look forward to the opposition's questions so much that

I am going to forgo my time and open it up, so I look forward to questions.

Ms. White: Colour me surprised. I am just going to get right into it. Welcome, of course, to the officials here from the Department of Community Services.

One of the things that has been mentioned before is the agreement between the Red Cross and the Emergency Measures Organization. There was a note that Red Cross had been hired to provide services during emergencies like fires and floods. How much is this agreement costing Yukoners? There is no contract that we could find in the contract registry, so what is the contract value for this?

Hon. Mr. Mostyn: Madam Chair, this issue has come up at our federal-territorial-provincial meetings on emergency management with Public Safety Canada.

One of the federal initiatives that we are dealing with is to fund civilian emergency response. This is surge capacity within the territory, so that includes the St. John Ambulance and the Red Cross, and that is being supported by the federal government. The contract is coming through Health and Social Services, not Community Services, so I would urge the member opposite to perhaps direct that question to Health and Social Services. We don't hold the contract in CS for St. John Ambulance or the Red Cross for the surge capacity that we are talking about today.

Ms. White: I thank the minister for that. Could the minister let us know what kind of services they will be providing to the Emergency Measures Organization?

Hon. Mr. Mostyn: I would again encourage the member opposite to hold that question for Health and Social Services. The contract is held — it's for emergency social services support and surge capacity so those questions are probably better directed toward my good colleague in Health and Social Services.

Ms. White: Just for clarification then, the Red Cross folks aren't there to help, for example, with sandbagging or volunteer organization or anything that could have to do with flooding or anything to do with fires?

I am just looking for clarification. The minister is saying that the Red Cross folks, as previously mentioned, supporting Emergency Measures will have nothing to do with fires or floods. If they will, can he let me know what positions they could fill?

Hon. Mr. Mostyn: It is our understanding that we are seeking the assistance of the Red Cross through their medical support.

Ms. White: I thank the minister for that clarification.

The minister has previously committed to releasing the "what we heard" document on the four communities affected by transfer station closures in the spring. I believe we are firmly in the spring, so can the minister give me an update as to where we are in the "what we heard" document?

Hon. Mr. Mostyn: I can tell the member opposite that we are currently working on a communications plan and getting that out to the communities affected and to people, so we will have more to say on that in the coming days.

Ms. White: Can the minister give me an approximate timeline or a date to expect that?

Hon. Mr. Mostyn: I believe I said “a few days”.

Ms. White: The reason I was looking for clarification is because I was once told we would have information in the spring and then it came out in August, so there are different times when government says things like “spring” or “a few days”, so I guess I will wait until Friday to see. I believe that will be a few days. If the minister has a different definition of what “a few” is, I look forward to that clarification, too.

Can the minister let me know if there are any plans on changing the landfill facility in Pelly Crossing? There have been some rumors in that community that the facility is closing.

Hon. Mr. Mostyn: We certainly do have plans similar to other regional landfills. We are working on the Pelly landfill. There have been issues with the Pelly landfill that we are aware of, so we are looking to bring it to standard like the other regional landfills — gated, staffed, and the rest of it. I believe that is our plan and we will continue it. It will be one of our regional landfills for the region.

Ms. White: Can the minister give me a timeline on those changes?

Hon. Mr. Mostyn: As I have said several times in the House, this is a staged process. The next stage of this whole investment and improvement in our regional landfills has to do with getting the municipal agreements in place with the municipalities. We are very close to having that done. Once those improvements are made to the municipal landfills — turning them into regional hubs — we are going to turn our attention to those that are in unincorporated communities like Pelly Crossing. That will be the next phase after we get the municipal hubs in place.

Ms. White: Can the minister give me a list of those regional landfills and the timelines for them — which one is going to change first and so on and so forth until we get into unincorporated communities like Pelly Crossing?

Hon. Mr. Mostyn: We have a — the goal is to have a waste management system adapted to the north — environmentally sustainable, cost-effective, and ensuring the proper disposal of solid waste. To get there, the Yukon government has begun working with municipalities on regional agreements to assist them in providing a standard level of service and bringing Yukon facilities to the same standards. So, that is the overall goal.

It has been rolled out in three phases. Phase 1 was Mount Lorne, Carcross, Marsh Lake, and Tagish, and those are virtually done.

The second phase required deals with municipalities on this to compensate them properly for the waste that they would be receiving from the outlying areas — so that they knew what they were getting and that they were compensated for it adequately. We have struck deals with Carmacks, Mayo, Teslin, and Watson Lake, and work is actually proceeding in Carmacks and Mayo and is soon to happen in Watson Lake and Teslin. We’re talking weigh scales and that type of thing. We had to get power to Mayo. There is all sorts of work. We have to get power gates. In some cases, we have to have supervisors

— like a building that they can stand in so they don’t freeze — all those things.

That work is underway. We are working on agreements with Faro — which is a unique situation because of its history — but we are talking with Faro, and those talks are proceeding. Haines Junction is the last one to sign. Once those are all done, we will proceed with all of the investments that we are making to make those — to get the standards in place — the standard infrastructure in place so that those municipalities can start managing their landfills properly and exerting some control over those landfills.

Then phase 3 will be the unincorporated communities, and the last of those will be Old Crow and Beaver Creek because they are the farthest landfills that we own in the territory — that are operational in the territory — Old Crow and Beaver Creek.

So, those would be the last to go, but we will be working on Eagle Plains, Stewart Crossing, Pelly Crossing, Destruction Bay, Ross River, and then we have the other ones that are already done. That is the phased approach we are doing. We are very close with the deals with the municipalities. We are working on those. The ones that have already signed — the money is starting to flow. I think that we are looking at that — how much money is being spent this year. I can update the member opposite when I have those numbers compiled.

Ms. White: I thank the minister for that. For the things like the buildings for folks to stay warm in and gates and other things, where is that equipment or those buildings being sourced from?

Hon. Mr. Mostyn: So, this year, we have \$2.5 million allocated in the budget for solid-waste improvements and weigh scales in unincorporated communities as well as some water treatment money. That is all for the unincorporated communities. The budget this year is \$2.5 million for weigh scales, solid-waste treatment facilities, and water treatment facilities.

In municipalities, it’s a little bit different. Municipalities will get funding to upgrade these regional landfills. It will be agreement-specific whether we upgrade the facilities through our procurement process or whether the municipality itself is taking the lead on upgrading the landfills that are their responsibility. So, we would fund that through a transfer payment agreement. It just depends on the agreement we have signed with the municipality, and I don’t have those agreements before me this afternoon.

Ms. White: There have been some concerns raised around where money is coming from for things like scales for municipalities, with concern that it is actually gas tax money that is meant for non-incorporated communities. Can the minister either elaborate and either confirm or correct the record? Has any gas tax money that is earmarked for unincorporated communities been used to pay for things like weigh scales in municipalities?

Hon. Mr. Mostyn: Yes, there is gas tax money going into regional landfills. The Yukon government gets a portion of gas tax revenue as well. That money is there to service unincorporated Yukon. The Yukon government is using some of the portion for unincorporated Yukon to invest in regional

landfills that service unincorporated Yukon. So, the regional landfills — and the total value of that gas tax investment is \$2.5 million, but that also includes water facilities — so, it's regional landfills, it's weigh scales, and it's water facilities. Those are the three facilities captured by the Yukon government's gas tax investment into unincorporated Yukon, and a portion of the unincorporated gas tax money will be going to the regional landfills that service unincorporated Yukon.

Ms. White: I thank the minister for that clarification. Can he help me to understand if it is an easy process to track where the money comes from? Again, saying that gas tax money for unincorporated Yukon is going to regional landfills — so, for example, if we had heard that gas tax money that was earmarked for Ross River was being utilized for the Teslin regional landfill — can the minister let us know if that's accurate? If it's not accurate, can he tell us how to track that financing?

How do we know what community — what unincorporated community — is losing part of their gas tax money to go toward regional landfills? Is it as easy as a straight line? Can we say, for example, if it was Ross River, that it would be going to Carmacks as the nearest or Faro? Can the minister help me understand how that gas tax funding is going to regional landfills and which unincorporated communities are missing out on that funding?

Hon. Mr. Mostyn: So, the Yukon government gets — the gas tax money goes to municipalities or — it's not "gas tax"; it's Canada Community-Building Fund — CCBF. It is a terrible name; I have said that before, but that is what it is. "Gas tax" was a lot easier, but it is no longer that. It's the Canada Community-Building Fund.

That money goes to municipalities. It is split up: It goes to municipalities, it goes to First Nations, and some of it comes to the Yukon government for unincorporated communities.

As I said, we use that money to invest in benefits to unincorporated communities. There is not a straight line between the pot of money that the Yukon government controls for unincorporated communities and the investment in unincorporated communities. The goal is to improve all of our communities as fairly as possible. We are making investments across the territory, and I can't give a specific breakdown on what it is. We are talking a little bit in hypotheticals in terms of how we are doing this. If the member opposite has any further details, I am happy to take them.

Ms. White: Can the minister help us then understand what percentage or what amount of the gas tax — so, he said the Yukon government collects the gas tax money, and then it goes out from there. Is each unincorporated community entitled to a percentage or an amount of that gas tax, or is it based on a needs basis?

Hon. Mr. Mostyn: We are talking about unincorporated communities, so communities that haven't progressed yet to municipal responsibility. So, right now, it's the Yukon government that is responsible for unincorporated Yukon. We invest in those communities on their behalf, as we are responsible for the money. There is no money allocated to each unincorporated community. The Yukon government does it on

a needs basis, and that is how we have proceeded with the Canada Community-Building Fund funding.

Ms. White: So, just understanding that, can the minister help me understand — as an example, Pelly Crossing is directly associated to the highway, right next to the highway. Ross River is at the end of a highway. One is easier to reach; one has a paved road; one has more housing. So, how does the minister decide what community gets what based on needs? My experience in Ross River is that there is always a housing shortage; there a lack of infrastructure, which makes it hard to expand housing. So, how does the minister decide where that funding goes?

Hon. Mr. Mostyn: We take feedback from the communities into what is needed in their communities. My colleagues and I go on community tours and gather information on what is needed. We have done that certainly for the Investing in Canada infrastructure fund, and that also informs our choices. What we are talking about through the Canada Community-Building Fund is a fairly small amount of money. It is in the process of being retooled to look at housing investment, so we will see how that shakes out, and that may change the way that the government invests that money.

Currently, we are investing it in solid-waste, drinking-water, and waste-water projects across the territory that are necessary, and that is how it is allocated.

Ms. White: So, moving on to the *Residential Landlord and Tenant Act* review, can the minister give me timelines on what the next steps are for the *Residential Landlord and Tenant Act* review?

Hon. Mr. Mostyn: The "what we heard" document is in the final stages of drafting. We are working the final details out before it comes up for approval.

We are still on track to get the act into the spring of 2025, and the policy team is doing the work necessary — research to analyze the results of the public engagement, do the jurisdictional scans, and review the current act to discern some of the gaps and how they might be addressed. That will then come for drafting instructions. All of that work is underway right now. As I said, we are still on track to meet the deadline for the spring of 2025 to bring that piece of legislation before the House.

Ms. White: I thank the minister for that. Can he let me know if there is any update on the results of the engagements and if there is going to be a lessons-learned document from the experience of the Klondike River flooding? Can he let me know where we're at with that and what next steps will look like?

Hon. Mr. Mostyn: As I noted, the "what we heard" document is in the final stages of drafting and will soon come for a decision. So, that is coming — that is for the *Residential Landlord and Tenant Act* work. As far as the "what we heard" from the Klondike from last season, it is with a private firm and we haven't seen the final draft yet. We will make an inquiry with the private firm to see where that work is at; we haven't seen it yet.

Ms. White: Knowing that we are kind of on the cusp of flooding season, is the minister at all concerned that we don't have that document from the private contractor, knowing that

action should maybe be taken now and not once the flooding starts or once the flooding has happened? Is the department taking steps to either help residents protect their property or to make sure that government assets aren't lost? Last year, the flooding was quite extensive and it was very costly to people who were affected. I just want to know what the plan is for this year. If we are waiting for a contractor and we haven't received that and we're in April and we know that the Klondike River, for example — the ice has broken. What is the plan?

Hon. Mr. Mostyn: So, the Yukon government has heard the feedback to activate the Emergency Coordination Centre and set up a local incident management team early enough to ensure a smoother response, and we will work with local governments to do so. We are working very closely with the municipality and the Tr'ondëk Hwëch'in. You may have heard the fire chief on the radio this morning. That was because the local team is engaged and well-supported by the team at Community Services.

The Emergency Measures Organization set up a portable radio transmitter in mid April, prior to ice breakup, to ensure that the public and the Klondike Valley could tune into any necessary radio updates. A sandbagging machine and sandbags will be sent to Dawson City for use by responders and volunteers. That work is already in process.

We have also been talking about local preparedness with the City of Dawson and the Tr'ondëk Hwëch'in. Ice-jam flooding is difficult to predict. The Yukon government will make every effort to issue an evacuation alert before evacuation becomes necessary. They will be issued as broadcast-intrusive alert-ready messages, and that is sent to all cellphones, radio, and cable TV stations; this is if necessary. We have done an awful lot of work. We have had tabletop exercises up in the Klondike — two of them so far.

So, we have done an awful lot of work in the Klondike following last year to make sure that the community is better prepared. It's part of the work that we've done throughout the territory with municipalities and unincorporated communities, so the team at Community Services has been doing an awful lot of preparation work for this year.

As I said, every year, we are getting more and more practised at this, unfortunately. I wish it wasn't the case, but our changing climate makes that necessary, so we are working very hard to prepare our communities even as we invest in the energy infrastructure we need to start to hit our targets for greenhouse gas emissions.

Ms. White: I guess just to highlight some concerns, it is my understanding that, for example, not all places in Henderson Corner have access to or reliable cellphone. It also often means that they may not have access to cable or other things. Last year, one of the real concerns during this flooding was that there were people who were really adversely affected by the flooding who didn't get the notice to evacuate. They were still on the property trying their best to salvage what they could. They were just told by passersby that they needed to evacuate. I just want to make sure that we don't repeat mistakes of the past. I appreciate that work has been done and that it's ongoing. I just want to make

sure that people are as safe as possible, so that's why I was asking the questions about it.

The 2023 confidence and supply agreement has a commitment to reform the land lottery system through a process that includes public engagement. We have heard lots about the problems with the current system, and many Yukoners come to talk to us about the issues. Yesterday, I had a conversation with the Minister of Energy, Mines and Resources, but I know that the Minister of Community Services likes to talk about how many lots he has on the market and how many lots he is going to sell, so I want to know what part of the CASA commitment to engage around the land lottery process he is involved in.

Hon. Mr. Mostyn: There is a consultation. There are two things: There is a broad consultation going on to do with the *Lands Act*, and there is a focus concentrated on the lottery system that is targeted. We want to make sure that the system works as intended. I believe my colleague answered this question yesterday. We have very little to add.

We build the lots, make sure that they are up and ready to go, and then we pass them off to Energy, Mines and Resources, which then does the selling of the lots. We, of course, work very closely with EMR providing whatever expertise that Energy, Mines and Resources needs — any information that they may need on the lots and that will feed into the sale of the lots — but that process is actually handled by Energy, Mines and Resources, and I frequently stand and talk about all of the lots that we built, but it is my good colleague from EMR who actually does the selling.

Ms. White: Recycling is an issue that is very important to the territory. When the minister talks about the importance of landfills or regional landfills and such, a big part of a landfill, of course, filling up sooner is, for example, including things like cardboard. Can the minister — and I know that my colleague from Copperbelt North asked some of these questions — but can the minister help me to understand what is going to happen with rural Yukon? So, rural Yukon has the ability, for example, to collect recyclables. Can he let me know what the plan is now for the recyclables coming from rural Yukon?

Hon. Mr. Mostyn: The plan for rural Yukon is no change. Rural Yukon will still continue to have its recyclable — it will collect their recyclable materials. Those recyclable materials will come into Whitehorse and they will be dealt with when they come into Whitehorse. As I signalled the other day — and I will repeat that message today — there's no change for rural Yukon. Rural Yukon continues to do as it's doing. I don't want to throw any disruption to the system. The system works for rural Yukon and it continues as it currently exists.

Ms. White: When recycling gets picked up in rural Yukon — and I'm imagining it's by a contractor for the Yukon government — where does it get taken right now? When recycling gets picked up in rural Yukon, does it get taken to one specific processor or both processors? Is the Yukon government transporting it down south itself? Can the minister help me understand that process?

Hon. Mr. Mostyn: As I said earlier and in a former question, there is no change to rural Yukon. It will continue to

be trucked to Whitehorse. Currently, the process of handling the non-refundable recycling products such as paper — is Raven. Raven has announced that it's getting out of it. We are seeking to work with another processor, so we're in the process of finding another processor. There is another processor in town. In light of Raven's recent announcement, we are working to find another processor for that waste.

Ms. White: What happens after September 15?

Hon. Mr. Mostyn: After September 15, we have been informed that Raven will no longer be handling that material and we are seeking another processor to handle that material.

Ms. White: What role or responsibility does the Yukon government have when it comes to recycling when we talk about, for example, *Our Clean Future*? The reason I ask that is because we know that Raven ReCentre has said that they are closing their public drop-off on September 15, and the minister has previously said that, well, that is their decision — which it 100 percent is. I understand that the minister has made an offer to the City of Whitehorse for \$2.4 million. The City of Whitehorse has indicated that it is not enough and then why doesn't the Yukon government pay for it in its entirety — but I want to know what responsibility the Yukon government has when it comes to recycling and waste diversion when we talk about, for example, *Our Clean Future*?

Hon. Mr. Mostyn: I want to thank the member opposite for this question. It is an important question and it is a live question. It is a question that strikes to an issue that is incredibly important to me and has been a priority for this government. It's a broad question; it's not simple.

The overarching message is simple. Diversion is important. It is critically important in this territory. We want to keep as much material out of our landfills as possible. We want to manage our landfills as well as we possibly can. We want to control the material going into the garbage, going into our landfills, and handle it better. We don't want places that make it easy for the public to get rid of waste oil, auto parts, old metals, and that type of thing because that pollutes the environment.

We are tightening — and have been for years now — our control over the amount of garbage that our society produces — garbage in all its forms. Some of it is recyclable waste; some of it is not. Some of it is e-waste. There are waste metals. We are taking measures to make sure that our society here in the territory adopts a more modern approach to this stuff because we are producing tons of it. We want to get rid of it in the best way possible and we want to make sure that the people producing the most garbage pay for the privilege of disposing of it — the need to dispose of it.

Diversion is important. We want to support responsible disposal of waste.

We support waste diversion in several ways. The Government of Yukon is the primary funder for processing non-refundable recycling in the Yukon, with approximately \$1.8 million provided in 2023 to ensure that the recycled material is handled and processed according to the very best recycling practices available. Non-refundable recycling and household hazardous waste programs are in transition as we

work through implementing extended producer responsibility legislation for packaging and paper products, which comes into force in 2025. In the meantime, we are working with the City of Whitehorse, Raven ReCentre, and P&M Recycling to ensure that there are appropriate methods of recyclable material collection in the City of Whitehorse.

Now, when the member opposite talks about our responsibility, we are responsible for unincorporated communities. Because diversion is important, we actually help offset the cost of recycling coming from rural Yukon to Whitehorse for processing by our local processors, and we pay our local processors to handle that waste. However, I will state that recycling and waste disposal within a municipality is a municipal responsibility. It is up to municipalities to handle the waste in their respective municipalities, and everything that we divert out of the landfill that we can recycle benefits the local municipality. So, the municipality, in managing its waste, has a responsibility to take the stuff that's recyclable out of its waste.

Watson Lake and Dawson have taken responsibility for that, and both of those small municipalities with somewhat less than 2,000 people, in most cases, pay more than Whitehorse on recycling. Their budgets are higher for their recycling commitment than the waste coming out of Whitehorse. Whitehorse does not pay as much as Watson Lake and Dawson for recycling within its borders.

Raven has done a great job for 30 years. They came to us and said: We are getting out of the business of handling this non-refundable waste. That started a year ago, but Whitehorse was not expecting this and wasn't prepared for it. So, to help Whitehorse with the transition to extended producer responsibility, we looked at it and came forward with an investment of up to \$2.4 million over the next two years. That includes diversion credits to help the City of Whitehorse to bridge the gap between the closure of Raven's public drop-off on September 15 and the adoption of extended producer responsibility in 2025.

So, to the member opposite's question: Whitehorse is responsible for waste diversion within its borders, and the Yukon government supports diversion throughout the territory, because it is important. So, we are going to continue that support and have extended — because of the speed with which Raven has announced its closure, we have stepped forward with money to help the City of Whitehorse bridge that gap. I think that this is important. The member opposite said that the City of Whitehorse said that is not enough money. That is not the word that I have had. Actually, they said that they were happy with the generous support that we are giving to the City of Whitehorse for diversion. It is not the full amount, but it should, based on the estimates that we have for the cost of starting a blue box program within Whitehorse — whether that is contracted out or the city does it, that is a decision for the City of Whitehorse to take — but the information that we have is that the funding that we have provided to the City of Whitehorse is roughly 50 percent of the cost of a diversion program.

We know that when EPR comes in, it should cover at least 50 percent of the cost, if not more. So, to bridge the gap, we

have stepped in with funding for the City of Whitehorse to help with their diversion. It is a live discussion within the municipality of Whitehorse, and we sincerely hope that they take us up on our offer to help bridge that gap to a blue bin system within the City of Whitehorse, because we know how important it is to our citizens that they are able to continue recycling here in Whitehorse.

Ms. McLeod: Madam Chair, it is always a pleasure to stand up and talk about Community Services. I have a few questions for the minister. I am going to start with the disaster financial assistance. Now, we understand that the minister is working on the development of a disaster financial assistance program that is aimed at clarifying and streamlining how Yukoners and businesses and municipalities access funding to recover from a disaster — so, a few questions about that.

Can the minister tell us the status of this work? Have consultations begun, and if so, who has been consulted, what is the timing of the creation of this new program, and is there a budget for this program?

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Deputy Chair (MLA Tredger): Committee of the Whole will now come to order.

The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 213, entitled *First Appropriation Act 2024-25*.

Is there any further general debate?

Ms. McLeod: I just wanted to question whether or not the minister needed me to repeat that question.

Hon. Mr. Mostyn: Before I attempt an answer this afternoon, I want to welcome my good colleague from Watson Lake to the debate on CS today. I always enjoy our conversations. I may not show it every time, but it's nice to have chats with the member, and I look forward to our discussion this afternoon.

I also have not yet introduced my officials this afternoon. We have Matt King and we also have Phil MacDonald here this afternoon, and I want to thank them for being here. My apologies for not doing it earlier, gentlemen.

All right. So, as I understand it, you were asking about the disaster financial assistance program and what we are doing. The short answer is this: Last year, we put into play an assistance program for the Klondike Valley. We are looking to use the principles and the approach we took, which was based on the federal program, as it currently stands this year. The wrinkle and complicating factor in this discussion is that the federal government is changing the program, and that's happening this year. It's actually in process now, and we expect to hear more about it soon. So, this is a live conversation.

Once we learn how the federal government is going to proceed into the future with this program, we will then be in a

position to take what the federal government has given us and then go and talk to municipalities about it to ensure that our program matches the federal program and everyone understands how it works.

So, we are waiting for information from the federal government. I am led to believe that's coming fairly quickly, but we haven't seen it yet. Once we have that, we will be able to build a program for the future. Currently, we have a program that worked relatively well last season, and we are going to adopt those principles for the coming season.

Ms. McLeod: I thank the minister for that information.

Now, following the 2021 flood and the 2022 high-water years for Marsh Lake, I understand that a committee was formed in Marsh Lake to press the government for changes, particularly in the area of Army Beach and South M'Clintock Bay. I was told that the committee sent a letter to the minister, so can he confirm that he has received a letter from this group, and if so, what was his response?

Hon. Mr. Mostyn: I thank the member opposite for the question. I have received a letter. It would be impolite of me to tell the Legislative Assembly the answer before I actually communicate it to the people who took all the time to write me the letter, so more to come on this file.

After introducing and letting the member opposite know how much I appreciate her questions, how much I am looking for more questions, I am now going to move that we report progress.

Deputy Chair: It has been moved by the Member for Whitehorse West that the Chair report progress.

Are you agreed?

Some Hon. Members: Count.

Count

Deputy Chair: A count has been called.

Bells

Deputy Chair: All those in favour, please rise.

Members rise

Deputy Chair: All those opposed, please rise.

Members rise

Deputy Chair: The results are nine yea, eight nay.

I declare the motion carried.

Motion agreed to

Hon. Mr. Streicker: Deputy Chair, I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Member for Mount Lorne-Southern Lakes that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

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

Chair's report

MLA Tredger: Mr. Speaker, Committee of the Whole has considered Bill No. 38, entitled *Health Authority Act*, and directed me to report progress.

Committee of the Whole has also considered Bill No. 213, entitled *First Appropriation Act 2024-25*, and directed me to report progress.

Speaker: You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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

Deputy Chair (MLA Tredger): Committee of the Whole will now come to order.

The matter before the Committee is continuing clause-by-clause consideration of Bill No. 38, entitled *Health Authority Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Bill No. 38: *Health Authority Act* — continued

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

The matter before the Committee is continuing clause-by-clause consideration of Bill No. 38, entitled *Health Authority Act*. We are currently considering the amendment as proposed by the Member for Lake Laberge to clause 74.

On amendment to Clause 74 — continued

Deputy Chair: Is there any further debate?

Hon. Ms. McPhee: I appreciate that I had the floor when we completed this debate last week. I am joined again by the Deputy Minister of Health and Social Services, Tiffany Boyd; by Jenny Imbeau, who is the director of legislation and partnerships; and also by Pamela Muir, our legislative drafter with respect to Bill No. 38. Thank you to them for being here today.

I am happy to say, in continuation of my comments regarding the amendment that is on the floor, that I met with a number of officials and the unions that are representing employees at the Department of Health and Social Services and

the Yukon Hospital Corporation last week. We discussed the creation of a memorandum of understanding. We are working to achieve the best protections for employees. I have committed to that work here on the floor of the Legislative Assembly. We are continuing to work through potential protections for employment and agreement to do so.

I committed at that meeting last Wednesday to providing the unions with a letter of commitment from me. There was a bit of back-and-forth with respect to comments about what should be included there, and I provided that to them yesterday. I did receive very late in the day today — and I certainly appreciate that time is of the essence and everyone is working to respect that — a draft of what could be an MOU. It took some time to review.

I note that we did not intend, at the meeting that I had with the unions last week, to have an MOU ready by the time this matter was being called back. I am mindful of the commitments that we have made to Yukon First Nations, to employees, and to all Yukoners through the development of a health authority act of the timing and the importance of making sure that Bill No. 38 is passed in this Legislative Assembly, so we continue to work together on behalf of Yukoners.

I will note that, with respect to this particular amendment, the changes that would be made to section 2(c) are problematic, in my view. I have confirmed that it is not for the minister to be responsible to negotiate a clear plan showing how pay benefits and pensions will be affected with the union or unions. I have no trouble providing a plan to the employees who will be affected — and the proposed transfer will clearly do that anyway — but this section as drafted seems to infer that the minister would be responsible to negotiate with the unions. That is not appropriate outside of the representation of the unions. Unions, of course, have processes included in the collective agreement. They are responsible for negotiating on behalf of their members, and it is critical that this section, in my view, not be supported, as it requires something that is not available or appropriate for the minister to do.

Amendments must be considered in relation to the related sections that they affect and as part of the bill or the potential legislation as a whole. So, despite best efforts of the Member of the Legislative Assembly who has proposed this amendment, we are not legislative drafters. They are highly skilled professionals. They write legislation to include things like definitions and enabling sections, legal authorities to act, responsibilities of parties, regulation-making authorities, transition provisions, and certainly other related sections. The most important aspect, I think, of their skillset is that they determine how all of these things fit together.

We are bringing some amendments to this particular bill. We have reviewed and drafted those amendments with the benefit of legislative counsel and we have determined that — certainly my comments going forward — they will enhance the overall bill.

Those are my comments with respect to the amendment that is on the floor. I urge members not to support the ideas that are included in what will be section 2(c), should this pass.

Mr. Cathers: Today was extremely odd. In fact, we know that the government has mishandled this legislation throughout the process, including failing to consult with health care workers and sidelining them during the process. Today — with the bizarre situation we saw with the government calling business, then reporting progress, and then coming back — is the direct result of the government sidelining health professionals and unions representing health workers employed by government and the Yukon Hospital Corporation.

We know that the minister was embarrassed into making other amendments prompted by the risk of possible litigation by the Association franco-yukonnaise. We saw the odd situation earlier today when the government called this bill for debate. The minister immediately rose to report progress, citing some communication that she has still not shared with us, and then the government tried to bring it back. We have yet to see what this communication was.

We know that our proposed amendment last week prompted scrambling by the government, including the minister, meetings between officials, the minister, unions, and a lot of e-mails back and forth — some of which we have seen and some of which we haven't. We saw as well, even today, both before the House actually began after the government identified Bill No. 38 as business and then this afternoon — there has been quite a bit of back-and-forth between the unions, labour organizations, government, the Third Party, and us. However, we don't have a clear explanation from the government of what we saw today.

Earlier today, after the government called Bill No. 38 for debate, the minister immediately moved to report progress, citing some communication that she has yet to share with this Legislative Assembly. Will she share that communication now and let us know — provide us with written copies of the correspondence between herself and the union today?

Ms. White: I don't think it's going to surprise anyone that I disagree with the Member for Lake Laberge for a whole section of reasons. I actually really want to commend the minister and her team on the leadership that they are showing in trying to work together to get this through in a good way. That's ultimately what this is about; it's trying to do it in a good way. It has not been comfortable, it has not been easy, and it has been deeply knot-tying in all those ways, including what I'm about to do right now.

The one thing I want to say is that I really fundamentally believe that the minister and the unions are so close right now to getting that memorandum of understanding so that we can move forward in a good way without amendments. I have that firm belief, which is why I am going to take this next step.

Again, I believe it is a strength to try to correct. I believe that is a really powerful thing, and unfortunately, we don't see that enough in politics because we are too busy taking each other down when we make mistakes. So, when we are able to rectify those and we are able to acknowledge and we are trying to do that in a better way, that is far more powerful. I do appreciate — and I wanted to say that. I really appreciate the work that has been done so far.

So, I am asking for a little bit of grace here.

I will move that clause 74 be stood over until the conversation around an MOU with the unions can happen. I fully anticipate that we will be back very soon, so I am expecting that this is a day. I would expect that we will be back here tomorrow.

I move that clause 74 be stood over.

Deputy Chair: It has been moved by the Member for Takhini-Kopper King that clause 74 be stood over.

Clause 74 stood over

On Clause 75

Clause 75 agreed to

On Clause 76

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 76 through 98 of Bill No. 38, entitled *Health Authority Act*, read and agreed to.

Unanimous consent re deeming clauses 76 through 98 of Bill No. 38 read and agreed to

Deputy Chair: The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 76 through 98 of Bill No. 38, entitled *Health Authority Act*, read and agreed to.

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted.

Clauses 76 through 98 deemed read and agreed to

On Clause 99

Ms. White: I will move that clause 99 be stood over until more conversations can happen with the union around that MOU.

Deputy Chair, I move that clause 99 be stood over.

Deputy Chair: It has been moved by the Member for Takhini-Kopper King that clause 99 be stood over.

Clause 99 stood over

On Clause 100

Clause 100 agreed to

On Clause 101

Clause 101 agreed to

On Clause 102

Clause 102 agreed to

On Clause 103

Hon. Ms. McPhee: Deputy Chair, thank for the earlier support last week to stand over section 70 so that we could speak to section 103. I anticipate that we will return to section 70 immediately following the conversation regarding 103, as it relates and is consequential to the change that I am going to suggest here in section 103.

There is an opportunity to link meaningful implementation of the *Languages Act* through an amendment to section 103 of the bill and ultimately to section 70, where it is mentioned as well, to make it clear that representatives of the Yukon's francophone community must be engaged in the initial board, including its chair and chief executive officer, regarding planning for the implementation of the *Languages Act*.

I would like to reiterate that amendments are being introduced here to confirm that our government wishes to reflect respect for the *Languages Act* throughout the health and social services system and to facilitate planning for the application of the *Languages Act* to a health authority.

I am therefore proposing that section 103 be amended to include subsection (2), pursuant to subsection (1), to state that the initial board, the initial chair, and the initial chief executive officer must meet with representatives of Yukon's francophone community, the Government of Yukon, the Yukon Hospital Corporation, and the Yukon First Nation health committee to plan for the implementation of section 9(2) of the *Health Authority Act* regarding the application of the *Languages Act* to the health authority.

Amendment proposed

Hon. Ms. McPhee: I move:

THAT Bill No. 38, entitled *Health Authority Act*, be amended at pages 70 and 71 by

(a) numbering the current clause 103 as subclause 103(1);

(b) adding the following subclause after subclause 103(1):

(2) Pursuant to subsection (1), the initial board, the initial chair, and the initial chief executive officer must meet with representatives of Yukon's francophone community, the Government of Yukon, the Yukon Hospital Corporation, and the Yukon First Nations' health committee to plan for the implementation of subsection 9(2) regarding the application of the *Languages Act* to the health authority.

Deputy Chair: The amendment is in order.

It has been moved by the Member for Riverdale South:

THAT Bill No. 38, entitled *Health Authority Act*, be amended at pages 70 and 71 by

(a) numbering the current clause 103 as subclause 103(1);

(b) adding the following subclause after subclause 103(1):

(2) Pursuant to subsection (1), the initial board, the initial chair and the initial chief executive officer must meet with representatives of Yukon's Francophone community, the Government of Yukon, the Yukon Hospital Corporation and the Yukon First Nations' health committee to plan for the implementation of subsection 9(2) regarding the application of the *Languages Act* to the health authority.

Is there any debate on the amendment proposed by the Member for Riverdale South?

Mr. Dixon: As we have with other amendments that came as a result of discussions with the AFY, we will be agreeing to this amendment, of course, with the proviso that this is yet another amendment that is the direct result of the minister's unprecedentedly poor handling of a bill before the Legislature. It wouldn't have been necessary if the minister had consulted prior to tabling the bill.

Ms. White: I am going to take a different tack and I'm going to say that I appreciate the leadership that has been shown in addressing the concerns that were highlighted. We will be voting in favour of this amendment.

Deputy Chair: Is there any further debate on the amendment to clause 103?

*Amendment to Clause 103 agreed to
Clause 103, as amended, agreed to*

Deputy Chair: On April 16, 2024, Committee of the Whole passed a motion proposed by the Member for Riverdale South that clause 70 be stood over until after clause 103 has been cleared. Consideration of clause 103 being completed, we will now consider the previously stood-over clause 70.

On Clause 70 — previously stood over

Deputy Chair: Is there any debate on clause 70?

Hon. Ms. McPhee: As I noted in earlier comments, the amendment to section 70 is a simple cross-reference to the proposed amendments to section 103 that have now been made. Section 70(y) will be amended to include the number "103(1)(b)".

Amendment proposed

Hon. Ms. McPhee: I move:

THAT Bill No. 38, entitled *Health Authority Act*, be amended at page 45 by replacing, in paragraph 70(y), the expression "103(b)" with the expression "103(1)(b)".

Deputy Chair: The amendment is in order.

It has been moved by the Member for Riverdale South:

THAT Bill No. 38, entitled *Health Authority Act*, be amended at page 45 by replacing, in paragraph 70(y), the expression "103(b)" with the expression "103(1)(b)".

Is there any debate?

Hon. Ms. McPhee: I think it is incredibly important to take the opportunity to challenge the criticisms that are coming from the members opposite in relation to the amendments that have been brought forward by the government to enhance this particular bill. Those have been done following conversations with the Association franco-yukonnaise. Whatever their opinion and criticism they want to give of me — but I think I must properly defend the individuals who put so much work into creating Bill No. 38, some of whom are with us today. Many more stand behind the three officials whom I have with me today and the members of the gallery who are here representing the Health Transformation Advisory Committee and the Chiefs Committee on Health as well as the unions that we continue to work with closely.

I also appreciate the comments from the Leader of the Third Party. Our job is to come here and get the best possible bill and the best possible piece of legislation to create and enable a health authority here in the territory, because that is what Yukoners have told us to do and that's what we have done in bringing it here.

Taking the opportunity or the shots that the opposition is taking with respect to what their impression of how a bill might be made is or how improvements might come along — and the complete commitment that this team has to making sure that the best possible piece of legislation is here for Yukoners should not and cannot be challenged in my view. I must properly take the opportunity to not only thank the individuals here to get them the appropriate recognition for the incredible amount of

work that has brought us to today, I thank the members of the Association franco-yukonnaise for coming forward and for cooperating and speaking to us and determining how we could work together going forward.

I have the relationship with the unions. I feel confident in that and I feel confident that we will get to a place that is for the protection of Yukon employees as we move into a health authority world, something that has not even been contemplated in the past by any government in this territory. The creation of such an integrated, person-centred, transformed health care system is the goal. It's the goal on behalf of all Yukoners.

I know that last night at a public meeting, one of the questions that came forward was: Why do this and why do this now? The heartfelt answer that came from one of the members of the Health Transformation Advisory Committee was that it is because people are dying. A health system transformation is what Yukoners have asked for and is what we have brought forward here. We will continue to do that work diligently on behalf of Yukoners and with the support of the partners that we have so properly and importantly cultivated relationships with.

Deputy Chair: Is there any further debate on the amendment?

*Amendment to Clause 70 agreed to
Clause 70, as amended, agreed to*

Deputy Chair: We will now consider clause 104.

On Clause 104

Clause 104 agreed to

On Clause 105

Clause 105 agreed to

On Clause 106

Clause 106 agreed to

On Clause 107

Clause 107 agreed to

On Clause 108

Clause 108 agreed to

Some Hon. Member: (Inaudible)

Point of order

Deputy Chair: Member for Mount Lorne-Southern Lakes, on a point of order.

Hon. Mr. Streicker: I will just ask the Clerks to assist. I just went out and asked the Clerk — my understanding is that you would move back to the clauses that we have stood over, not move to the preamble.

Can the Clerks just verify that for us, please?

Deputy Chair's ruling

Deputy Chair: We will consider the stood-over clauses before proceeding to considering the preamble.

On Clause 74 — previously stood over

Hon. Ms. McPhee: Deputy Chair, I move that you report progress.

Deputy Chair: It has been moved by the Member for Riverdale South that the Chair report progress.

Motion agreed to

Deputy Chair: Committee is continuing general debate on Vote 52, Department of Environment, in Bill No. 213, entitled *First Appropriation Act 2024-25*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 213: *First Appropriation Act 2024-25* — continued

The matter now before the Committee is continuing general debate on Vote 52, Department of Environment, in Bill No. 213, entitled *First Appropriation Act 2024-25*.

Department of Environment — continued

Deputy Chair: Is there any further general debate?

Hon. Mr. Clarke: Deputy Chair, I am pleased to be here again for main budget debate on the Department of Environment, and once again, to my immediate right is Deputy Minister Michael Prochazka and, to his right, Assistant Deputy Minister Briar Young.

I believe that I have a bit of time, and I will also just continue a little bit with my comments as they pertain to this budget, and then I will look forward to answering more questions.

I recently attended the Yukon Biodiversity Forum where a wide range of speakers discussed biodiversity-related topics, which included some concerning trends. However, there were also optimistic indicators that biodiversity in the Yukon is flourishing.

To document the Yukon's biodiversity trends, the Department of Environment has conducted bioblitzes across the territory which aim to record as many species as possible within a designated location and time frame. One of the bioblitzes conducted in the Beaver Creek area in 2022 recorded 1,852 species and only 27 were not native to the region, indicating that there were very few invasive species in the area.

Government of Yukon collaborates with Yukon First Nations, the Inuvialuit, Indigenous groups, wildlife management boards and councils, interest groups, and other governments to complete this work and to ensure that we protect the wide range of biodiversity in the territory and conserve species at risk.

We previously completed, in collaboration with the Yukon Fish and Wildlife Management Board, the Yukon's first conservation plan for grizzly bears. We are completing the fourth conservation plan for bison in partnership with affected First Nations and renewable resources councils, and we are now in the process of implementing the wetland stewardship policy. This work is helping us to inform protected area planning,

identify species that require monitoring, better conserve Yukon diversity, and is helping us to reach our goals in the *Canada-Yukon Nature Agreement* signed with the Government of Canada in 2022.

The *Canada-Yukon Nature Agreement* will support Indigenous leadership and conservation, protect and conserve new areas of the Yukon, monitor and protect species at risk, and support the protection and conservation of lands and waters. Since signing the agreement, the department has made progress implementing the agreement on several fronts, including increasing our monitoring and surveying of fish, wildlife, and habitat, which will inform future land use planning processes. We are also working to distribute funds for Indigenous-led conservation that will support a path forward to protect 30 percent of Yukon lands and waters by 2030.

The agreement also recognizes the relationships and roles that the Government of Yukon has with Yukon First Nations in implementing final agreements and the co-management of protected areas.

In January, a call for expression of interest went out to Yukon First Nations and other transboundary Indigenous groups to access funding under the *Canada-Yukon Nature Agreement*.

Budget 2024-25 includes over \$7.4 million — an increase of \$803,000 — to advance land use planning and create protected areas under the agreement with the goal of conserving 25 percent of the Yukon's land by 2025 and creating a pathway to 30 percent by 2030.

This funding will directly support Indigenous leadership in conservation and the sharing of foundational knowledge to protect and recover species at risk. I look forward to seeing how this agreement helps our territory plan for the future and ensure the responsible management and sustainable use of our lands and resources for future generations.

The Department of Environment remains committed to the responsible management of wildlife in our territory in a way that ensures that populations of wildlife continue to thrive and Yukoners will have harvest opportunities for generations to come. The Department of Environment has a team of experienced biologists and game experts who collect data to help ensure that we make informed decisions regarding wildlife management in the territory. We collect data by surveying and monitoring our wildlife populations using information provided by licenced hunters and our co-management partners, including Yukon First Nations.

Just briefly, in budget 2024-25, we are investing: \$24,000 to support research of the Porcupine caribou herd; \$68,000 in wood bison research; and \$109,000 for research and monitoring of moose and wolf surveys in the Porcupine caribou range, including the Vuntut Gwitchin traditional territory. These funds are 100-percent recoverable from the federal government through agreements with Environment and Climate Change Canada and Polar Knowledge Canada. This work ensures that the Yukon's wildlife continues to thrive but also that Yukoners have sustainable access to fishing and hunting opportunities from sustainable wildlife populations.

There is more, but I will end my comments there and look forward to further questions.

Mr. Istchenko: I want to thank the staff for being here today. It has been quite the day. There have been staff in and out of here; they come, then go again, then come back. It has been a really interesting day, but I'm glad you're here today to support the minister, and I want to thank you for all you do and all the people in the department who are on the phone right now ready to provide an answer for the minister.

I asked this in Question Period I believe last week, and I will ask it again. It's about the earmarked consultant's contract which was for the purpose of undertaking a mandated review of the Fish and Wildlife management branch of the Department of Environment. I had asked the minister to explain why this review is being done and what engagement is being done to seek the views of the hunting, fishing, and wildlife management community, especially of our boards and our renewable resources councils.

Now, I was a bit surprised that the minister didn't really know much about this, but he did say that he will receive a briefing with respect to the purpose of that review and could provide a more fulsome answer to me in short order. So, could he do that, please?

Hon. Mr. Clarke: I will certainly endeavour today — although I certainly wouldn't forestall the possibility of there being a follow-up question, but I believe that I do have good information about this topic.

In March 2024, the Department of Environment retained ERM Consultants, formerly Stratos, to document how its mandate is defined through formal and informal requirements and expectations and to gather input on mandate implementation. As was indicated last week, the cost of this contract was \$49,905, and this consultant was chosen for the Fish and Wildlife branch mandate review due to their familiarity with the work of the branch and partner organizations.

ERM Consultants completed a review of the Fish and Wildlife Management Board in 2019 under contract with the Council of Yukon First Nations. The review of the board resulted in 27 recommendations directed toward the actors implicated by the *Umbrella Final Agreement*: the Government of Canada, the Government of Yukon, the board, renewable resources councils, and First Nations.

One recommendation from the 2019 Stratos report is directed at all actors to clarify, achieve consensus, and document the fish and wildlife structure and various roles within it based on the current context, legal landscape, areas of overlap or duplication, and identified strengths and weaknesses. A review of the Fish and Wildlife branch mandate will contribute to fulfilling that recommendation.

I would also at this time like to clarify that the only active review with the Yukon Fish and Wildlife Management Board is the one that we are jointly undertaking to review the wildlife regulation change process.

The ERM review will look at the strengths of the Department of Environment Fish and Wildlife branch in fulfilling its mandate, activities, and objectives and identify

opportunities for improvement. This is part of a cycle of continuous improvement being undertaken by the branch to ensure that they continue to provide relevant services to Yukoners.

The Fish and Wildlife branch leads the management of fish and wildlife and their habitats for the conservation, appreciation, and sustainable use of naturally diverse and changing ecosystems in a manner that is collaborative and adaptive while respecting Indigenous rights and title and the provisions of Yukon modern treaties.

This work includes leading wildlife research and monitoring, coordinating harvest management, and delivering public education programming. As mentioned, the ERM review will look at how the mandate is defined in the various agreements and legislation and how it is being implemented alongside our partners. The review will examine and be informed by the branch mandate, activities, and objectives as established in the Canadian and Yukon legislation and agreements, Indigenous agreements, ministerial mandate letters, and departmental and branch strategic plans. This includes but is not limited to: my 2020-23 mandate letter, supplementary notes on minister's mandate commitment in 2023, the Department of Environment strategic plan 2023-26, the environment strategic plan 2023-25, the branch plan for Fish and Wildlife 2023-26, and the *Umbrella Final Agreement* chapter 16 as well.

The review includes interviews with current and former Fish and Wildlife staff and members of the organizations that the branch regularly engages with, including the Yukon Fish and Wildlife Management Board, renewable resources councils, First Nation land and resources directors, Wildlife Management Advisory Council North Slope, the Yukon Conservation Society, and the Yukon Fish and Game Association. Interviews with key organizations and individuals are expected to be completed by the end of April 2024. Feedback from these partners is integral to the mandate review. I would like to take this opportunity to thank all participants for their input.

The Yukon government anticipates a final report summarizing the findings and providing recommendations in 2024.

Deputy Chair, I believe that this provides a fairly comprehensive answer to the question raised by the Member for Kluane, but certainly, we can endeavour to answer any follow-up questions that may arise.

Mr. Istchenko: I appreciate what the minister had to say, but the minister just told me that this was going to be completed by the end of this month — April 2024?

Hon. Mr. Clarke: No, sorry; my briefing notes indicate “in 2024”. I can confer with my officials as to if there can be any greater specificity with respect to that.

My information is that the data will have been substantially gathered by the end of April 2024 and then to anticipate that it will take a number of months to actually complete the report and summarize the findings but an indication that it will be complete in the calendar year 2024.

Mr. Istchenko: That's super disappointing because I just wrote down some questions I was going to ask. I was going to ask about which communities you were going to consult with, when will the community meetings be, where will they take place, and who will host the meetings. The minister did say who he has consulted with, but he didn't say “Yukoners”. He talked about the First Nations; he talked about the boards and the committees and the Yukon Outfitters Association, but there are a lot of resident hunters who maybe aren't part of the Yukon Fish and Game Association. The end of the month, if I'm not mistaken, is upon us real quick. I can confer with the Member for Pelly-Nisutlin, but he probably would agree with me.

I don't see Yukoners getting very much input. I see the organizations getting input, but there are a lot of local Yukoners. The way consultation is supposed to work is that there's supposed to be community meetings. If there are community meetings, then MLAs, resources councils, and those people who usually host those meetings can invite the community to come out and provide some input.

I was talking to some friends of mine on the weekend and told them that there was a review going on, and unless we had popped it up on the contract registry, I haven't seen anything. I haven't seen — you know, there are a lot of press releases that come out of the office upstairs on a regular basis with this on it. I asked the question, and the minister didn't really know anything about it. The end of April is tomorrow, and you're going to have all of your information already? Not good for Yukoners.

Hon. Mr. Clarke: I certainly hear the Member for Kluane's comments. What I would say in my comments with respect to the engagement — this engagement, in my view, certainly will — this engagement certainly will cover — has covered a lot of different interest groups and organizations. I take the member's criticism, but to be clear — and I believe I was clear in my previous answer — this is an internal branch review, and it is, in fact, focused on the co-management partners and those interest groups.

I have heard the member loud and clear, will take his comments and mild — maybe not so mild — criticisms away, review those with my officials, and determine whether there is room for slightly more outreach. I take the member's comment, but it appears that the nature of this review was primarily an internal branch review focusing on the co-management partners and interest groups whom I have set out on the record in my previous comments. One moment, please — thank you, Deputy Chair.

Mr. Istchenko: Okay, I thank the minister for his comments there of a primarily internal review.

I'm going to check with some of the partners whom the minister speaks with in my area — mainly my resources councils and some of the staff with First Nations — and see if they provided any input. I just want to see to make sure that they did in a meaningful way.

Then I guess my question would be: When it comes to the review being finished sometime in 2024, will this review be made public? Will there be opportunity for the average

Yukoner to comment on this review and provide input? How will this review be implemented into changes within the branch?

I had asked about some of the stuff that was going on with the *Wildlife Act* in my question in Question Period also and how this plays into it, but I am just wondering if the average Yukoner is going to see any change in the department.

Hon. Mr. Clarke: I think I can be fairly brief on this matter, but I am advised that the plan is to make the review public. The final question from the Member for Kluane was whether there would be any change at the Fish and Wildlife branch. Well, of course, we wouldn't want to — we can't or I can't and no one probably can — prejudge the results of the engagement and the recommendations that the consultants ultimately provide.

I am not necessarily in the speculation business, because that is probably not a very good idea to speculate, but I would say that it would be unlikely that there wouldn't be some changes, but certainly in April, currently, right now, we are not really in a position to prejudge the results of the engagement and prejudge the nature of the conclusions reached by the consultants.

Hon. Mr. Clarke: As I indicated, action items will depend on the feedback that we receive. The ERM review will look at the strengths of the Department of Environment Fish and Wildlife branch in fulfilling its mandate, activities, and objectives and identify opportunities for improvement. This is part of a cycle of continuous improvement being undertaken by the branch to ensure that they continue to provide relevant service to Yukoners.

So, the quick answer to the first question is that, yes, the intention is for the review to be made public.

Mr. Istchenko: I thank the minister for that. I will move on.

I asked this question last year and I would like to get an update on it again. *Our Clean Future* states, in transportation, to get 4,800 zero-emission vehicles on the road by 2030. That's just a little over five years from now. We will do this by working with local vehicle dealerships and manufacturers to establish a system to meet targets for zero-emission vehicle sales, providing rebates, and investment in charging stations. I have seen some of the rebates and I know that they are putting in charging stations.

It also says in there that 50 percent of light-duty cars purchased each year by the Yukon government are zero-emission vehicles. So, can the minister let me know if the department has been working with local dealerships and manufacturers? What is he hearing from them about whether or not this is actually attainable?

Hon. Mr. Clarke: I have more information — wearing my Highways and Public Works hat — but I do know this file reasonably well. Working backwards, the objective is to have 10 percent of the light-duty — all government Fleet Vehicle Agency vehicles — either plug-in electric, full battery/electric — and I think maybe hybrid as well — at approximately 10 percent of that number by the spring of next year.

There was a successful contract — a procurement that was let for 30 full-electric Kia Niros. Kia Subaru was the successful bidder with respect to that contract. I believe that 15 have been delivered in this fiscal year and 15 will be delivered in the fiscal year of 2024-25, so that is 30 full-battery/electric vehicles. Members of the Assembly will know that there are two full-electric mail-delivery vans which are sometimes at the north side of the Jim Smith Building, sometimes the south side of the Jim Smith Building.

I had the opportunity within the last six weeks or so to do a tour of the mail-delivery room and the hard-working, motivated team downstairs, and I certainly thank them for their tour. It was enlightening as to their duties and responsibilities that they discharge on a daily basis, but I did have the opportunity to do a quick route within downtown Whitehorse in one of their full-electric Ford Sprinter vans. There are also a number of Ford Lightning pickup trucks but also a number either plug-in electric or hybrid SUVs.

The member opposite also asked what the response of the dealers has been. Well, you certainly heard during COVID — and the member opposite may have asked me questions toward the end of COVID as well — that there were supply chain issues with respect to local dealers providing a supply of either plug-in electric, battery/electric, or hybrid vehicles. I'm largely hearing that the supply chain issues have been overcome because Kia Subaru — or Subaru Kia — was the successful bidder. I'm in contact with that dealership fairly regularly. I did ask for that dealership's stats and I can endeavour to get them for the House, but they were impressive. Last year, Kia had something in the range of 25 or 30 percent of the vehicles either plug-in electric or full electric.

The numbers were obviously skewed by virtue of that significant government procurement — over two fiscal years — of 30 vehicles, but nevertheless, my impression still is that the supply chain interruption or the supply chain issues have largely been dealt with. My sense is that Yukoners are still enthusiastic and early adopters, that the supply that comes north of 60 — to Whitehorse — is being sold quite quickly. You have heard from the Minister of Energy, Mines and Resources over the course of the last six weeks or so that we are the number-three jurisdiction on a per capita basis for plug-in electric and battery/electric vehicle registrations.

The final question, of course: Is the target for 2030 an ambitious target? Absolutely, it is an ambitious target, but the supply that exists, that has come to the territory, is being sold. I would say that I am more than cautiously optimistic. I am putting my Highways and Public Works hat on. I have certainly been able to make at least some incremental changes at Fleet Vehicle with respect to the principled use of battery/electric vehicles within the City of Whitehorse and hopefully within Yukon communities and some shorter trips outside of Whitehorse as well.

It's an exciting time. There could be bumps in the road going forward — absolutely — but generally speaking, I believe that the Yukon is in a good space.

I could talk about this for a while, but Deputy Chair, seeing the time, I move that you report progress.

Deputy Chair: It has been moved by the Member for Riverdale North that Chair report progress.

Motion agreed to

Hon. Mr. Streicker: Deputy Chair, I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Member for Mount Lorne-Southern Lakes 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 Deputy Chair of Committee of the Whole?

Chair's report

MLA Tredger: Mr. Speaker, Committee of the Whole has considered Bill No. 38, entitled *Health Authority Act*, and directed me to report progress.

Committee of the Whole has also considered Bill No. 213, entitled *First Appropriation Act 2024-25*, and directed me to report progress.

Speaker: You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.

The following legislative return was tabled April 23, 2024:

35-1-131

Response to matter outstanding from discussion with Ms. Clarke related to general debate on Vote 10, Public Service Commission, in Bill No. 213, *First Appropriation Act 2024-25* — Labour Relations Board (Silver)

The following document was filed April 23, 2024:

35-1-247

Motion regarding a school in downtown Whitehorse, letter re (dated April 22, 2024) from Hon. Richard Mostyn, Minister of Community Services to Mayor and Council, City of Whitehorse (Mostyn)